



भारत का राजपत्र

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सं० १७]

नई दिल्ली, शनिवार, अप्रैल २४, १९८२/वैशाख ४, १९०४

No. 17]

NEW DELHI, SATURDAY, APRIL 24, 1982/VAISAKHA 4, 1904

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अमरण संकलन के क्षमता से रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—काण्ड ३—उप-काण्ड (II)
PART II—Section 3—Sub-section (II)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालय द्वारा जारी किए गए सांविधिक आदेश और प्रधिसूचनाएं
Statutory Orders and Notifications issued by Ministries of the Government of India
(other than the Ministry of Defence)

विधि, स्थाय और कानूनी कार्य मंत्रालय
(विधि कार्य विभाग)

सुचनाएं

नई दिल्ली, २९ मार्च, १९८२

का० आ० १५६९.—नोटरीज नियम १९५६ के नियम ६ के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री महताब सिंह मेहता, अधिवक्ता, म० न० एन ७५ (ए) कीर्ती नगर, नई दिल्ली ११००१५ ने उक्त प्राधिकारी को उक्त नियम के नियम ४ के अधीन एक आवेदन इस बात के लिए दिया है कि उसे ओल्ड कॉर्ट, काश्मीरी गेट, दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

२. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्रोश इस सूचना के प्रकाशन के चौदह विन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं० ५(३१)/८२-न्या०]

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS
(Department of Legal Affairs)
NOTICES

New Delhi, the 29th March, 1982

S.O. 1569.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Mehtab Singh Mehta, Advocate, H. No. N/75(A), Kirti Nagar, New Delhi for appointment as a Notary of Practise in Old Courts, Kashmere Gate, Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(31)/82-Judl.]

नई दिल्ली, ३ अप्रैल, १९८२

का० आ० १५७०.—नोटरीज नियम, १९५६ के नियम ६ के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री जे० डी० जैन, अधिवक्ता, सी०-४/१४५ सफदरजंग डेल्पमेंट एस्ट्रा, नई दिल्ली ने उक्त प्राधिकारी को उक्त नियम के नियम ४ के अधीन एक आवेदन इस बात के लिए दिया है।

कि उसे दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं० 5(33) 82-न्या०]

New Delhi, the 3rd April, 1982

S.O. 1570.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri J. D. Jain, Advocate, C-4/145, Safdarjung Development Area, New Delhi for appointment as a Notary to practise in Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(33)/82-Judl.]

का० आ० 1571.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री लक्ष्मण मेहता, प्रधिकर्ता, एम० 35, साकेत, नई दिल्ली ने उक्त प्राधिकारी को उक्त नियम के नियम 4 का अधीन एक आवेदन इस बात के लिए दिया है कि उसे साकेत, नई दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं० 5(34) 82-न्या०]

के० सी० डी० गंगवानी, सक्षम प्राधिकारी

S.O. 1571.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Laxman Mehta, Advocate, M-35, Saket New Delhi-17 for appointment as a Notary to practise in Saket, New Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(34)/82-Judl.]

K. C. D. GANGWANI, Competent Authority

(काम्यनी कार्य विभाग)

नई दिल्ली, 7 अप्रैल, 1982

का० आ० 1572.—एकाधिकार तथा अवरोधक व्यापारिक व्यवहार अधिनियम, 1969 (1969 का 54) की धारा 26 की उपधारा (3) के अनुसरण में केन्द्रीय सरकार एतदवारा मैं दि इन्डो स्विस सिर्टिकेट जेम मैन्युफैक्चरिंग कम्पनी लिमिटेड के कथित अधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाण-पत्र संख्या 447/70) के निरसनी करण को अधिसूचित करती है।

[संख्या 16/24/80-एम III]

(Department of Company Affairs)

New Delhi, the 7th April, 1982

S.O. 1572.—In pursuance of sub-section (3) of section 26 of the Monopolies & Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the registration of M/s. The Indo-Swiss Synthetic Gem Manufacturing Co. Ltd. under the said Act (Certificate of Registration No. 447/70).

[No. 16/24/80-M.III]

का० आ० 1573.—एकाधिकार तथा अवरोधक व्यापारिक व्यवहार अधिनियम, 1969 (1969 का 54) की धारा 26 की उपधारा (3) के अनुसरण में केन्द्रीय सरकार एतदवारा मैं मध्य प्रदेश इलेक्ट्रिकल्स लिमिटेड के कथित अधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाण पत्र संख्या 1206/75) के निरसनीकरण को अधिसूचित करती है।

[संख्या 16/45/81-एम 3]

चन्द्रकान्त खुशालदास, निवेशक

S.O. 1573.—In pursuance of sub-section (3) of Section 26 of the Monopolies and Restrictive Trade Practices Act 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the registration of M/s. Madhya Pradesh Electricals Ltd. under the said Act (Certificate of Registration No. 1206/75).

[No. 16/45/81-M-III]

C. KHUSHALDAS, Director

पृष्ठ मंत्रालय

(कार्मिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 7 अप्रैल 1982

का० आ० 1574.—केन्द्रीय सरकार, दण्ड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कलकत्ता उच्च न्यायालय के दाइक्षिक सत्र में श्री हरिवास मून्दडा और अन्य के विरुद्ध दिल्ली विशेष पुलिस स्थापना आर० सी० सं० 3/58-कलकत्ता के अभियोजन का संचालन करने के लिए श्री आर० देव, अधिवक्ता कलकत्ता उच्च न्यायालय को विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[संख्या 225/21/81-ए० वी० डी० 2]

एच० के० वर्मा, अवर सचिव

MINISTRY OF HOME AFFAIRS

(Department of Personnel and Administrative Reforms)

New Delhi, the 7th April, 1982

S.O. 1574.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri R. Deb, Advocate, High Court, Calcutta, as Special Public Prosecutor for conducting the prosecution of Delhi Special Police Establishment RC No. 3/58 Calcutta against Shri Haridas Mundra and others in the Criminal Session of the High Court at Calcutta.

[No. 225/21/AVD. II]

H. K. VERMA, Under Secy.

दिल्ली मंत्रालय
(राजस्व विभाग)
नई दिल्ली, 3 दिसम्बर, 1981
आय-कर

फा० आ० 1575 :—इस विभाग की अधिसूचना सं० 2932 (फा० सं० 203/92/79-आई टी ए-II) तारीख 16 जुलाई, 1979 के अनुक्रम में सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात्, भारतीय आयुर्विज्ञान अनुसंधान परिषद् नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6(ii) के साथ पठित, आय-कर अधिनियम, 1961 की धारा 35 को उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए चिकित्सा अनुसंधान के क्षेत्र में “वैज्ञानिक अनुसंधान संगम” प्रबन्ध के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

- (i) यह कि प्रतिष्ठान चिकित्सा अनुसंधान के लिए प्राप्त राशियों का पृथक लेखा रखेगा।
- (ii) यह कि प्रतिष्ठान अपने वैज्ञानिक अनुसंधान संबंधी किया कलापों की वार्षिक विवरणी परिषद् का प्रति वर्ष 31 मई तक ऐसे प्ररूपों में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकारित किए जाएं और उसे सूचित किए जाएं।
- (iii) यह कि प्रतिष्ठान लेखाओं का वार्षिक संपरीक्षित विवरण परिषद् को प्रति वर्ष 31 मई तक भेजेगा और इसके अतिरिक्त इसकी एक प्रति सम्बद्ध आय-कर आयुक्त को भेजेगा।

संस्था

दी फाउंडेशन फार रिचर्स इन कम्पनीटी हैल्प, बम्बई यह अधिसूचना 27-12-1980 से 26-12-1983 तक तीन वर्ष की प्रवधि के लिए प्रभावी है।

[सं० 4362 (फा० सं० 203/78/81-आई टी ए-II]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 31st December, 1981

INCOME-TAX

S.O. 1575.—In continuation of this Department's notification No. 2932 (F. No. 203/92/79-ITA. II) dated 16th July, 1979, it is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, New Delhi, the prescribed authority, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6(ii) of the Income-tax Rules, 1962 under the category of "scientific research association" in the field of Medical Research subject to the following conditions :—

- (i) That the Foundation will maintain a separate account of the sums received by it for medical research.
- (ii) That the Foundation will furnish annual returns of its scientific research activities to the Council by 31st May each year at the latest in such form as may be laid down and intimated to them for this purpose.
- (iii) That the Foundation will furnish a copy of the annual audited statement of account, to the Council

by 31st May, each year and in addition send a copy of it to the concerned Income-tax Commissioner.

INSTITUTION

The Foundation for Research in Community Health, Bombay.

The notification is effective for a period of three years from 27-12-1980 to 26-12-1983.

[No. 4362 (F. No. 203/178/81-ITA. II)]

नई दिल्ली, 23 मार्च, 1972

आय-कर

फा० आ० 1576—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात्, भारतीय आयुर्विज्ञान अनुसंधान परिषद् नई दिल्ली ने निम्नलिखित संस्था को आय-कर नियम, 1962 के नियम 6(ii) के साथ गठित, आय-कर अधिनियम, 1961 को धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए आयुर्विज्ञान अनुसंधान के क्षेत्र में “वैज्ञानिक अनुसंधान संगम” प्रबन्ध के अधीन, निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात्

- (i) यह कि संगम आयुर्विज्ञान अनुसंधान के किए प्राप्त राशि पृथक का लेखा रखेगा।
- (ii) यह कि उक्त संगम प्रत्येक वर्ष के लिए अपने वैज्ञानिक अनुसंधान संबंधी क्रिया-कलापों को वार्षिक विवरणी परिषद् को प्रति वर्ष 31 मई तक ऐसे प्ररूपों में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकारित किए जाएं और उसे सूचित किए जाएं।
- (iii) यह कि उक्त संगम प्रत्येक वर्ष के लिए लेखाओं का वार्षिक संपरीक्षित विवरण परिषद् को प्रतिवर्ष 31 मई तक भेजेगा और इसकी एक प्रति सम्बद्ध आय-कर आयुक्त को भेजेगा।

संस्था

भारतीय संस्थानी सोसाइटी, मुम्बई

यह अधिसूचना 18-2-1982 से 17-2-1984 तक दो वर्ष की प्रवधि के लिए प्रभावी है।

[सं० 4525 (फा० सं० 203/42/82-आई टी. II)]

एम० जी० सी० गंगल, अवर मचिन

New Delhi, the 23rd March, 1982

INCOME-TAX

S.O. 1576.—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6(ii) of the Income-tax Rules, 1962 under the category of "Scientific Research Association" in the field of Medical Research subject to the following conditions :—

- (i) That the Association will maintain a separate account of the sums received by it for medical research.
- (ii) That the Association will furnish annual returns of its scientific research activities to the Council by

31st May each year at the latest in such form as may be laid down and intimated to them for this purpose.

- (iii) That the Association will furnish an annual audited statement of accounts to the Council by 31st May, each year and in addition send a copy of it to the concerned Income-tax Commissioner.

INSTITUTION

The Statistics Society of India, Bombay.

The notification is effective for a period of two years from 18-2-1982 to 17-2-1984.

[No. 4525/(F. No. 203/42/82-ITA.II)]

M. G. C. GOYAL, Under Secy.

नई दिल्ली, 15 फरवरी, 1982

का० आ० 1577:—केन्द्रीय सरकार, आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त धारा के प्रयोजन के लिए निर्धारण वर्ष 1981-82 से 1985-86 के लिए और निम्नलिखित गुरुद्वारों को अधिसूचित करती है :—

1. श्री बरबार साहिब, श्री अमृतसर
2. श्री बरबार साहिब, श्री तरण-तारण (अमृतसर)
3. गुरुद्वारा श्री ननकाना साहिब, संगरूर
4. गुरुद्वारा श्री बेर साहिब, सुल्तानपुर लोधी (कपूरथला)
5. गुरुद्वारा श्री गुरुतेग बहादुर साहिब, जीद (संगरूर)
6. तज्ज्ञ श्री कशगढ़ साहिब, श्री आनन्दपुर साहिब
7. श्री बरबार साहिब, श्री मुक्तसर (फियोजपुर)
8. गुरुद्वारा श्री बुद्ध निवारण साहिब, पटियाला
9. गुरुद्वारा श्री फतेहगढ़ साहिब, सनहिन्द (पटियाला)
10. गुरुद्वारा श्री गुरुतेग बाहदुर साहिब, धमसान साहिब (जीद)
11. गुरुद्वारा तज्ज्ञ श्री बमदमा साहिब, तलवण्डी साबो (भटिणा) ।"

[सं० 4467 (फा० सं० 197/9/81-आई टी ए आई]

New Delhi, the 15th February, 1982

S.O. 1577.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the following Gurudwaras for the purpose of the said section for the period covered by the assessment years 1981-82 to 1985-86 :—

- *1. Sri Darbar Sahib, Sri Amritsar.
2. Sri Darbar Sahib, Sri Taran Taran (Amritsar).
3. Gurudwara Sri Nankiana Sahib, Sangrur.
4. Gurudwara Sri Ber Sahib, Sultanpur Lodhi (Kapurthala).

5. Gurudwara Sri Guru Teg Bahadur Sahib, Jind (Sangroor).

6. Takhat Sri Kesgarh Sahib, Sri Anandpur Sahib.

7. Sri Darbar Sahib, Sri Mukatsar (Ferozepore).

8. Gurudwara Sri Dukh Niwaran Sahib, Patiala.

9. Gurudwara Sri Fatehgarh Sahib, Sirhind (Patiala).

10. Gurudwara Sri Guru Teg Bahadur Sahib, Dhamtan Sahib (Jind).

11. Gurudwara Takhat Sri Damdama Sahib, Talwandi Sabo (Bhatinda)."

[No. 4467 (F. No. 197/9/81-IT(AI)]

नई दिल्ली, 26 मार्च, 1982

आधिकार

का० आ० 1578:—केन्द्रीय सरकार, आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, 'सोसायटी ऑफ़ फ्रैन्सिस्कोन हास्पिटेल्स सिस्टरस बाम्ब' 1981-82 के अन्तर्गत आने वाली अवधि के लिए उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 4539 (फा० सं० 197/185/79 आ० क (ए-1)]

मिलाप जैन, अवर सचिव

New Delhi, the 27th March, 1982

INCOME-TAX

S.O. 1578.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Society of Franciscan (Hospitaller) Sisters, Bombay" for the purpose of the said section for the period covered by the assessment years 1978-79 to 1981-82.

[No. 4539/F. No. 197/185/79-IT(AI)]

MILAP JAIN, Under Secy.

आदेश

नई दिल्ली, 7 अप्रैल 1982

स्टाम्प

का० आ० 1579—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतत्-द्वारा उस शुल्क को माफ करती है जो कर्नाटक पावर कारपोरेशन लिमिटेड द्वारा केवल बोस करोड़ सात लाख पचास हजार रुपए मूल्य पत्रों के रूप में जारी किए जाने वाले बन्ध पत्रों पर, उक्त अधिनियम के अन्तर्गत प्रभार्य हैं।

[सं० 13/82 स्टाम्प-फा० सं० 33/12/82-वि० क०II]

ORDERS

New Delhi, the 7th April, 1982

STAMPS

S.O. 1579.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act,

1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of debentures to the value of rupees twenty crores seven lakhs fifty thousand only to be issued by the Karnataka Power Corporation Limited, are chargeable under the said Act.

[No. 13/82-Stamps-F. No. 33/12/82-ST(ii)]

फा० आ० 1580.—भारतीय स्टाम्प अधिनियम 1899 (1899 का 2) की धारा 9 की उपधारा (1) खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो कनार्टक पावर कार्पोरेशन लिमिटेड द्वारा केवल एक करोड़ रुपए मूल्य के अंदर पत्रों के रूप में जारी किए जाने वाले बंध पत्रों पर उक्त अधिनियम के अन्तर्गत प्रभाव्य है।

[सं० 14/82 स्टाम्प फा० 33/12/82 बि० क०(1)]

S.O. 1580.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of debentures to the value of rupees one crore only to be issued by the Karnataka Power Corporation Limited are chargeable under the said Act.

[No.14/82-Stamps-F. No. 33/12/82-ST(i)]

मई दिल्ली, 8 अप्रैल, 1982

फा० आ० 1581.—भारतीय स्टाम्प अधिनियम 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा महाराष्ट्र राज्य वित्तीय निगम को, मात्र ब्यासी हजार पाँच सौ रुपए के उस समेकित स्टाम्प शुल्क की अदा करने की अनुमति देती है, जो उक्त निगम द्वारा जारी किए जाने वाले एक करोड़ वस लाख रुपए के अंकित मूल्य के बंध पत्रों पर लगने वाले स्टाम्प शुल्क के रूप में प्रभाव्य है।

[सं० 15/82 स्टाम्प फा० संख्या 33/36/81-बि०क०]

भगवान दास, अवर सचिव

New Delhi, the 8th April, 1982

S.O. 1581.—In exercise of the powers conferred by clause (b) of sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits the Maharashtra State Financial Corporation to pay consolidated stamp duty of eighty two thousand five hundred rupees only, chargeable on account of the stamp duty on bonds or the face value of one crore ten lakhs of rupees to be issued by the said Corporation.

[No. 15/82-Stamps/F. No. 33/36/81-ST]

BHAGWAN DAS, Under Secy.

आर्थिक कार्य विभाग

बैंकिंग प्रभाग

मई दिल्ली, 7 अप्रैल, 1982

का०आ० 1582.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबंध) योजना, 1970 की धारा 3 के प्रनुसरण में केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के बाद उक्त धारा 3 की उपधारा (घ) (इ) और (च) में विनिर्दिष्ट व्यक्तियों के हितों का प्रतिनिधित्व करने के लिए भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की 17 अक्टूबर, 1977, 8 नवम्बर, 1977 तथा 17 जनवरी, 1978 की अधिसूचना संख्या एफ० 9/27/77-बी० आ०-१ के अन्तर्गत नियुक्त निदेशकों के स्थान पर अप्रैल, 1982 के सातवें दिन से प्रारम्भ होने वाली तथा अप्रैल, 1985 के छठे दिन को समाप्त होने वाली 3 वर्षों की अवधि के लिए निम्नलिखित व्यक्तियों को यूनाइटेड बैंक भाफ इंडिया के निदेशकों के रूप में नियुक्त करती है :—

1. श्री राजेश प्रसाद खेतान, उक्त बैंक के जमाकर्सीद्धों के हितों का प्रतिनिधित्व करने के लिए — धारा 3 की उपधारा (घ) के प्रनुसरण में।
सोलिसिटर,
पेन्स कोर्ट, फैस्ट नं० 19,
5 बी, जिजिं कोर्ट रोड,
कलकत्ता-700027.
2. श्री होरेन जोस आर जीन, किसानों के हितों का प्रतिनिधित्व करने के लिए — धारा 3 की उपधारा (इ) के प्रनुसरण में।
उपर्युक्तोंग रोड,
मवलाई नॉगवार,
शिलांग -793008,
(मेघालय)
3. श्री विनय कुमार मन्दी, शिल्पकारों के हितों का प्रतिनिधित्व करने के लिए — धारा 3 की उपधारा (इ) के प्रनुसरण में।
चौधरी विल्ला,
होस्पीटल रोड,
कृष्णानगर,
पश्चिमांतरा-799001,
(शिल्पुरा)
4. श्री अरविन्द राय चौधरी, धारा 3 की उपधारा (च) के प्रनुसरण में।
चार्टर्ड एकाउन्टेंट
मेसर्स गुप्ता चौधरी एण्ड ओष,
2/2ए, हो-ची-मिन्ह सारणी,
कलकत्ता-700071,
(प० बंगाल)
5. डा० बीधायन घट्टोपाध्याय, धारा 3 की उपधारा (च) जबाहर लात नेहरू फैलो,
चतुर्गं,
फैस्ट नं० 3,
32, गोविन्द बौद्धी रोड,
कलकत्ता-700027,
(प० बंगाल)

6. श्री टी०जी०वसन्त गुप्ता, धारा 3 की उपधारा (च) प्रबंध निदेशक, के अनुसरण में श्री रायलसीमा पेपर मिल्स लि० एल०जी०एस०रोड, प्रडोनी-५१८३०१, कुरनूल जिला, (ग्रांथ प्रदेश)
7. श्री भवानी पाल, धारा 3 की उपधारा (च) सामाजिक कार्यकर्ता, के अनुसरण में पोस्ट आफिस बीरपाड़ा, जिला: जलपाइगुड़ी, (प० बंगल) (ग्रांथ प्रदेश)
8. श्री मृत्युंजय नारायण मिश्र धारा 3 की उपधारा (च) सिटी सहरसा, के अनुसरण में। जिला : सहरसा, (बिहार)

[सं० एफ० ९/३१/८१-बी० ओ० -१]
(DEPTT. OF ECONOMIC AFFAIRS)

New Delhi, the 7th April 1982

BANKING DIVISION

S.O. 1582.—In pursuance^{*} of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970 the Central Government after consultation with the Reserve Bank of India, hereby appoints the following persons as Directors of the United Bank of India for a period of three years commencing on the 7th day of April 1982 and ending with the 6th day of April, 1985, in the place of the Directors appointed under the notifications of the Government of India in the Ministry of Finance, Department of Economic Affairs (Banking Division) No.F.9/27/77-B.O.I., dated the 17th October, 1977, 8th November, 1977 and 17th January, 1978 to represent the interests of the persons specified in sub-clauses (d), (e) and (f) of the said clause 3:—

- Shri Rajesh Prasad Khaitan, Representing the interests of depositors of the said Bank—in pursuance of subclause (d) of clause 3.
Solicitor,
Penn Court,
Flat No. 18,
5B, Judges Court Road,
Calcutta-700027.
- Shri Horen Jones R'Jeen, Representing the interests of farmers—in pursuance of sub-clause (e) of clause 3.
Umthlong Road,
Mawlai Nongkwar,
Shillong—793008.
(Meghalaya)
- Shri Binoy Kumar Nandi, Representing the interests of artisans—in pursuance of sub-clause (e) of clause 3.
Choudhury Villa,
Hospital Road,
Kris nanagar,
Agartala-799001
(Tripura)
- Shri Auravinda Roy In pursuance of sub-clause (f) of clause 3.
Chartered Accountant,
M/s. Gupta Chowdhury &
Ghosh,

- 2/2A, Ho-Chi-Minh Sarani,
Calcutta-700071.
(West Bengal).
5. Dr. Boudhayan In pursuance of sub-clause Chattopadhyay, (f) of clause 3.
Jawaharlal Nehru Fellow,
Chaturanga,
Flat No. 3,
32, Gobinda Auddy Road,
Calcutta-700027.
(West Bengal)
6. Shri T.G. Vasant Gupta In pursuance of sub-clause Managing Director, (f) of clause 3.
Sree Rayalaseema Paper Mills Ltd.,
L.G.L. Road,
Adoni-518301
Kurnool District,
(Andhra Pradesh)
7. Shri Bhawani Paul, In pursuance of sub-clause Social Worker, (f) of clause 3.
P.O. Birpara,
Distt. Jalpaiguri
(West Bengal)
8. Shri Mritunjay Narayan, In pursuance of sub-clause Misra, (f) of clause 3.
City Saharsa
Distt. Saharsa.
(Bihar)

[No. F. 9/31/81-BO.I]

का० घा० १५८३.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) योजना, 1980 की धारा 3 के अनुसरण में केन्द्रीय सरकार भारतीय रिजर्व बैंक से परामर्श करने के बाद एकदृष्टारा निम्नलिखित व्यक्तियों को भ्रैल 1982 के सातवें दिन से शुरू में होने वाली और भ्रैल, 1985 के छठे दिन को समाप्त होने वाली अवधि के लिए कारपोरेशन बैंक के निदेशकों के रूप में नियुक्त करती है :—

- श्री एम० के० हुच्च्या, उक्त बैंक के जमाकर्ताओं के हितो का प्रतिनिधित्व करने के लिए - धारा 3 की उपधारा (घ) के अनुसरण में।
भूतपूर्व अध्यक्ष,
तालुक विकास बोर्ड,
कदद तालुक,
चिकमंगलूर जिला,
कर्नूल- ५७७५४८,
(कनटिक)
- श्री एम०बी०नाथ०, किसानों के हितो का प्रतिनिधित्व करने के लिए - धारा 3 की उपधारा (ड) के अनुसरण में—
कुटीर हाई रोड,
डाकघर पकासा,
जिला-चिसूर,
(ग्रांथ प्रदेश)
- श्री जी०पी०भास्कर कुमार, शिल्पकारों के हितो का प्रतिनिधित्व करने के लिए - धारा 3 की उपधारा (ड) के अनुसरण में।
813 87 III मेम रोड,
II/ब्लाक, राजाजी नगर,
बंगलूर- ५६००१०,
(कनटिक)

4. श्री वी० के० वर्मा, चार्टर्ड लेखाकार मेसर्सं बी के० वर्मा एण्ड कम्पनी, सी-३७, कनाट प्लेस, नई दिल्ली-११०००१.	धारा ३ की उपधारा (च) के अनुसरण में।	3. Shri G.P. Basak Kumar, 813/87, III Main Road, IV Block, Rajaji Nagar, Bangalore-५६००१०. (Karnataka)	Representing the interests of artisans in pursuance of sub-clause (e) of clause 3.
5. श्री डी० नरसिंह राव, मेसर्सं धादवाई नरसिंग राव एण्ड ब्रादर्स, ५-२-९५६ ओमान गंज, हैदराबाद-५०००१२ (आंध्र प्रदेश)	धारा ३ की उपधारा (च) के अनुसरण में।	4. Shri V.K. Verma, Chartered Accountant, M/s. V.K. Verma & Co., C-37, Connaught Place, New Delhi-११०००१.	In pursuance of sub-clause (f) of clause 3.
6. श्री के०एल०बी० सुन्दरेया, भूतपूर्व अध्यक्ष, कर्नाटक लघु उद्योग संघ, मेसर्सं फ्लास इंजीनियरिंग प्रा० लि० ३१, प्रथम ब्लाक ईस्ट, जयनगर बंगलूर-५६००११, (कर्नाटक)	धारा ३ की उपधारा (च) के अनुसरण में।	5. Shri D. Narsing Rao, M/s. Dhaduval Narsing Rao & Brothers, ५-२-९५६, Osmanganj, Hyderabad-५०००१२. (Andhra Pradesh)	In pursuance of sub-clause (f) of clause 3.
7. श्री राजा कुलकर्णी, सामाजिक कार्यकर्ता, तेलरसायन भवन, बस्ट वाथर बर्केशाप के सामन तिलक रोड, दादर, मुंबई-४०००१४ ; (महाराष्ट्र)	धारा ३ की उपधारा (च) के अनुसरण में।	6. Shri K.L.V. Subbiah, Former President, Karnataka Small Scale In- dustries Association, M/s. Klas Engineering Pvt. Ltd., ३१, 1st Block East, Jayanagar, Bangalore-५६००११. (Karnataka)	In pursuance of sub-clause (f) of clause 3.
8. श्री टी० बाबू मास्टर, अर्बा०, वेलपेटा, मंगलोर-५७५००६. (कर्नाटक)	धारा ३ की उपधारा (च) के अनुसरण में।	7. Shri Raja Kulkarni, Social Worker, Tel Rasayan Bhavan, Opp. BEST Dadar Work- shop, Tilak Road, Dadar, Bombay-४०००१४ (Maharashtra)	In pursuance of sub-clause (f) of clause 3.
		8. Shri T. Babu Master, Urva, Welspetta, Mangalore-५७५००६. (Karnataka)	In pursuance of sub-clause (f) of clause 3.

[No. F. 9/44/81-BO.I]

S.O. 1583.—In pursuance of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints the following persons to be the Directors of Corporation Bank for a period of three years commencing on the 7th day of April, 1982 and ending with the 6th day of April, 1985:—

- Shri N.K. Huchappa, Representing the interests of depositors of the said Bank in pursuance of sub-clause (d) of clause 3.
Former President,
Taluk Development Board,
Kadur Taluk,
Kadur-५७७५४८,
Chikmagalur District,
(Karnataka)
- Shri N.V. Naidu, Representing the interests of farmers in pursuance sub-clause (e) of clause 3.
Kisan Kutir,
High Road,
P.O. Pakala,
District Chittoor,
(Andhra Pradesh)

का०प्रा० १५८४—राष्ट्रीयकृत बैंक (प्रबंध तथा प्रकोण उप-
बंध) योजना, १९८० की धारा ३ के अनुसरण में, भारतीय रिजर्व
बैंक के परामर्श करने के बाद भारत सरकार एतद् द्वारा प्रैल,
१९८२ के ७वें दिन से प्रारंभ होने वाली तथा प्रतीक्षा,
१९८५ के ४ठे दिन को समाप्त होने वाली तीस वर्षों की
प्रबंधि के लिए निम्नलिखित व्यक्तियों को विज्ञा बैंक के
निदेशकों के रूप में नियुक्त करती है :—

- श्री एम० सीताराम, उक्त बैंक के जमाकर्ताओं
जे० बी० सन एण्ड कम्पनी,
हम्पनकट्टा,
मंगलोर-५७५००१,
(कर्नाटक)
- श्री एम०प्रार०रामन्ना, किसानों के हितों का प्रतिनिधि-
त्व करने के लिए धारा ३ की उपधारा
(च) के अनुसरण में।
तिपतूर,
तुमकुर जिला,
(कर्नाटक)

3. श्री के० गोपाल ग्राचार्य, शिल्पकारों के हितों का मकान नं० 1006 ए, प्रतिनिधित्व करने के बरकतपुरा लिए धारा 3 की हैदराबाद-500027, उपधारा (च) के भारत प्रदेश) अनुसरण में ।
4. श्री एस० नन्दगोपाल, धारा 3 की उपधारा (च) आर्ट्स एकाउन्टेंट के अनुसरण में ।
- मेसर्सैं ब्रह्मेंथा एण्ड कम्पनी, भारत इन्डियोरेंस बिल्डिंग, 156, थाम्बू चैटी स्ट्रीट, मद्रास-600001, (तमिलनाडु)
5. डा० शार० क० बाजपेयी, धारा 3 की उपधारा (च) 3-ए, के अनुसरण में ।
- महात्मा गांधी मार्ग, डी० एस० प्र० ग्राफिस के सामने, भागरा, (उत्तर प्रदेश)
6. श्रीमती भार० सी० असरामी, धारा 3 की उपधारा (च) 101, रविन्द्र मगर, नई दिल्ली-110003.
7. श्री पी० एस० जान, धारा 3 की उपधारा (च) सामाजिक कार्यकर्ता, एराइकुड़ाबृ, कोट्टायम, (केरल)

[सं० एफ० 9/48/81- बी० प्र० -1]

S.O. 1584.—In pursuance of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints the following persons to be the Directors of Vijaya Bank for a period of three years commencing on the 7th day of April, 1982 and ending with the 6th day of April, 1985:—

- Shri M. Seetharam, J. V. Son & Co., Hampankatta, Mangalore-575001. (Karnataka) Representing the interests of depositors of the said Bank in pursuance of sub-clause (d) of clause 3.
- Shri M.R. Ramanna, Tiptur, Tumkur District, (Karnataka) Representing the interests of farmers in pursuance of sub-clause (e) of clause 3.
- Shri K. Gopal Acharya, H. No. 1006/A, Barkatpura, Hyderabad-500027, (Andhra Pradesh) Representing the interests of artisans in pursuance of sub-clause (e) of clause 3.
- Shri S. Nandagopal, Chartered Accountant, M/s. Brahmayya & Co., Andhra Insurance Building,

- In pursuance of sub-clause (f) of clause 3.
- 156, Thambu Chatty Street, Madras-600001.
(Tamil Nadu)
5. Dr. R.K. Bajpai, 36-A, Mahatma Gandhi Marg, Opposite D.S.O. Office, Agra.
(Uttar Pradesh).
6. Shrimati R. C. Asrani, 101, Rabindra Nagar, New Delhi-110003.
7. Shri P. S. John, Social Worker, Erayikkadavu, Kottayam (Kerala)

[No. F. 9/48/81-BO.I]

S.O. 1585.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) योजना, 1980 की धारा 3 के अनुसरण में केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के बाद एतद-द्वारा प्रतील, 1982 के 7वें दिन से प्रारम्भ होने वाली तथा प्रतील, 1985 के छठे दिन को समाप्त होने वाली 3 वर्षों की अवधि के लिये निम्नलिखित व्यक्तियों को प्रोरियंटल बैंक ग्राफ कार्यालय के निदेशकों के रूप में नियुक्त करती है :—

- श्री दिनेश चन्द्र, प्रानन्द भवन, मोहल्ला : विक्षणी जहानाबाद, राय बरेली (उत्तर प्रदेश) उक्त बैंक के जामाकताओं के हितों का प्रतिनिधित्व करने के लिए धारा 3 की उपधारा (घ) के अनुसरण में ।
- श्री नरेन्द्र प्रताप सिंह, पंडारिया बंगला, नारमल स्कूल के समीप, पीस्ट ग्राफिस : बिलासपुर-495001 (मध्य प्रदेश) किसानों के हितों का प्रतिनिधित्व करने के लिये धारा 3 की उपधारा (ड) के अनुसरण में ।
- श्री रियासुद्दीन, 27/79, पश्ची गली, भागरा-282003 (उत्तर प्रदेश) शिल्पकारों के हितों का प्रतिनिधित्व करने के लिये धारा 3 की उपधारा (ड) के अनुसरण में ।
- श्री एम० आनन्दम, आर्ट्स एकाउन्टेंट, 10-2-96, मारेटपल्ली, नेहरूनगर, सिकंदराबाद-500026 (आनंद प्रदेश) धारा 3 की उपधारा (च) के अनुसरण में ।
- श्री सुरेन्द्र कुमार सिक्का, धारा 3 की उपधारा (च) के अध्यक्ष तथा प्रबन्ध निदेशक,

- लिंक इंजीनियर्स (प्रा०) लि०
503 तथा 701 सहयोग
विल्डिंग, 58, नेहरू प्लैस.
नयी दिल्ली-110019
6. श्री रवि मंकर,
एडब्लिकेट,
सिविल लाइंस,
मुलतानपुर
(उत्तर प्रदेश)
धारा 3 की उपधारा (च) के
अनुसरण में।
7. श्री बी०जी गोपाल,
पारिष्ठ इंजीनियरिंग एण्ड
बाड़ी बिल्डिंग कम्पनी लि०,
17, के० रोड
जमशेदपुर-831001
(बिहार)
धारा 3 की उपधारा (च) के
निदेशक,
प्रान्तम्
में।
8. श्री अली शाह, अध्यक्ष
अल्सन मोटर्स,
श्रीनगर
(जम्मू व कश्मीर)
धारा 3 की उपधारा (च)
के अनुसरण में।

503 and 701, Sahyog Bldg.,
58, Nehru Place,
New Delhi-110019.

6. Shri Ravi Shanker,
Advocate,
Civil Lines,
Sultanpur.
(Uttar Pradesh)
7. Shri V.G. Gopal,
Director,
Parikh Engineering and
Body Building Company
Ltd.,
17, K. Road,
Jamshedpur-831001.
(Bihar)
8. Shri Ali Shah,
Chairman,
Alson Motors,
Srinagar
(Jammu & Kashmir)

In pursuance of sub-clause
(f) of clause 3

In pursuance of sub-clause
(f) of clause 3.

In pursuance of sub-clause
(f) of clause 3.

[No. F. 9/49/81-BO.I]

S.O. 1585.—In pursuance of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints the following persons to be the Directors of Oriental Bank of Commerce, for a period of three years commencing on the 7th day of April, 1982 and ending with the 6th day of April, 1985:—

1. Shri Dinesh Chandra,
Anand Bhawan,
Mohalla: South Jahanabad,
Rae Bareli
(Uttar Pradesh)
Representing the interests of
depositors of the said Bank
in pursuance of sub-clause
(d) of clause 3.
2. Shri Narendra Pratap Singh,
Pandariya ungalow,
Near Normal School,
P.O. Bilaspur-495001
(Madhya Pradesh)
Representing the interests of
farmers in pursuance of sub-
clause (e) of clause 3.
3. Shri Rais Uddin,
27/79, Panni Gali,
Agra-282003.
(Uttar Pradesh)
Representing the interests of
artisans in pursuance of sub-
clause (e) of clause 3.
4. Shri M. Anandam,
Chartered Accountant,
10-2-96, Maredpalli,
Nehrunagar,
Secunderabad-500026.
(Andhra Pradesh)
In pursuance of sub-clause
(f) of clause 3.
5. Shri Suresh Kumar
Sikka,
Chairman-cum-Managing
Director,
Link Engineers (P) Ltd.,
In pursuance of sub-clause
(f) of clause 3.

का०खा० 1586.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 7 के साथ पठित खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात श्री वाई० बी० शिव रामकृष्णया को जिन्हें 7 अप्रैल, 1982 से बैंक आफ बड़ौदा के प्रबन्ध निदेशक के रूप में नियुक्त किया गया है, उसी तारीख से बैंक आफ बड़ौदा के निदेशक बोर्ड के अध्यक्ष के रूप में नियुक्त करती है।

[सं० एफ० 9/43/81-बी०खा० I(2)]

S.O. 1586.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri Y. V. Sivaramakrishnayya, who has been appointed as Managing Director of Bank of Baroda with effect from 7th April, 1982 to be the Chairman of the Board of Directors of the Bank of Baroda with effect from the same date.

[No. F. 9/43/81-BO. I(2)]

का०खा० 1587.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 8 के उपखण्ड (1) के साथ पठित खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात श्री वाई० बी० शिवरामकृष्णया को 7 अप्रैल, 1982 से आरम्भ होने वाली और 23 फरवरी, 1985 को समाप्त होने वाली

प्रबंधि के लिये बैंक आफ वडोदा के प्रबंध निदेशक हो।
में नियुक्त करती है।

[संख्या एफ० 9/43/81-बी०ओ० I(1)]

S.O. 1587.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri Y. V. Sivaramakrishnayya as the Managing Director of the Bank of Baroda for a period commencing on 7th April, 1982 and ending with 23rd February, 1985.

[No. F. 9/43/81-BO. I(1)]

नई दिल्ली, 12 अप्रैल, 1982

का० आ० 1588.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 8 के उपखंड (1) के साथ पठिं खंड 3 के उपखंड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् 19 अप्रैल, 1982 से प्रभास्त होने वाली अवधि के लिए, एतद्वारा श्री केंवी० दामने को यूनाइटेड बैंक आफ इंडिया के पूर्णकालिक निदेशक (कार्यकारी निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं० एफ० 9/42/81-बी०ओ०-J]

New Delhi, the 12th April, 1982

S.O. 1588.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri K. B. Damle, as a whole-time Director (designated as the Executive Director) of the United Bank of India for the period commencing on 19th April, 1982 and ending with 18th April, 1985.

[No. F. 9/42/81-BO. II]

नई दिल्ली, 13 अप्रैल, 1982

का० आ० 1859:—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1980 के खंड 8 के उपखंड (1) के साथ पठिं खंड 3 के उपखंड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् 13 अप्रैल, 1982 से प्रभास्त होने वाली तथा 12 अप्रैल, 1985 को समाप्त होने वाली अवधि के लिए, एतद्वारा श्री बी० एल० बुराना को न्यू बैंक आफ इंडिया के पूर्णकालिक निदेशक (कार्यकारी निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं० एफ० 9/13/82-बी०ओ०-I]

New Delhi, the 13th April, 1982

S.O. 1589.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri B. L. Khulona, as a whole-time Director (designated as the Executive Director) of the New Bank of India for the period commencing on 13th April, 1982 and ending with 12th April, 1985.

[No. F. 9/13/82-BO. II]

का० आ० 1590:—राष्ट्रीयकृत बैंक (प्रबंध तथा प्रकीर्ण उपबंध) स्कीम, 1970 की धारा 3 की उपधारा (च) के अनुसरण में केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के बाद, एतद्वारा, श्रीमती रुक्मिणी राजेशम, 'विवेणी' 225-A, मारेडपल्ली रोड, सिकन्दराबाद (ग्रान्थ प्रदेश), को अप्रैल, 1982 के 14 वें दिन से प्रारंभ होकर, अप्रैल, 1985 के 13वें दिन को समाप्त होने वाली तीन वर्ष की अवधि के लिए, इलाहाबाद बैंक के निदेशक के रूप में नियुक्त करती है।

[सं० एफ० 9/35/81-बी० ओ०-I]

S.O. 1590.—In pursuance of sub-clause (f) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shrimati Rukmini Rajesham, 'Triveni', 225-A, Maredpally Road, Secunderabad, Andhra Pradesh, as a Director of the Allahabad Bank for a period of three years commencing on the 14th day of April 1982 and ending with the 13th day of April, 1985.

[No. F. 9/35/81-BO. II]

का० आ० 1591:—राष्ट्रीयकृत बैंक (प्रबंध तथा प्रकीर्ण उपबंध) स्कीम, 1970 की धारा 3 की उपधारा (च) के अनुसरण में केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के बाद, एतद्वारा श्री रमेश जीवन बंसोद, न्यू शुक्रावाडी, कृष्णपुर (महाराष्ट्र) को अप्रैल, 1982 के 14वें दिन से प्रारंभ होकर, अप्रैल, 1985 के 13वें दिन को समाप्त होने वाली तीन वर्ष की अवधि के लिए, बैंक आफ महाराष्ट्र के निदेशक के रूप में नियुक्त करती है।

[सं० एफ० 9/37/81-बी० ओ०-I]

S.O. 1591.—In pursuance of sub-clause (f) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri Ramesh Jivan Bansod, New Shukrawari, Fawara Chowk, Nagpur (Maharashtra) as a Director of the Bank of Maharashtra, for a period of three years commencing on the 14th day of April, 1982 and ending with the 13th day of April, 1985.

[No. F. 9/37/81-BO. II]

नई दिल्ली, 14 अप्रैल, 1982

का० आ० 1592 :-—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबंध) स्कीम, 1980 के खंड 8 के उपखंड (1) के साथ पठित खंड 3 के उपखंड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् 14 अप्रैल, 1982 से आरम्भ होने वाली तथा 13 अप्रैल, 1985 को समाप्त होने वाली अवधि के लिए, एतद्वारा श्री बाई० एम० हेंगडे को क्रांतिरेणु बैंक के पूर्णकालिक निदेशक (कार्यकारी निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं० एफ० 9/42/81-बी० ओ० I-1]

New Delhi, the 14th April, 1982

S.O. 1592.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri Y. S. Hegde, as a whole-time Director (designated as the Executive Director) of the Corporation Bank for the period commencing on 14th April, 1982 and ending with 13th April, 1985.

[No. F. 9/42/81-BO. I(1)]

का० आ० 1593 :-—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 8 के उपखंड (1) के साथ पठित खंड 3 के उपखंड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् 14 अप्रैल, 1982 से आरम्भ होने वाली तथा 4 अगस्त, 1983 को समाप्त होने वाली अवधि के लिए, एतद्वारा श्री ए० सी० सेठ को बैंक आफ ब़डोदा के पूर्णकालिक निदेशक (कार्यकारी निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं० एफ० 9/42/81-बी० ओ० I-(2)]

S.O. 1593.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri A. C. Sheth, as a whole-time Director (designated as the Executive Director) of the Bank of Baroda for the period commencing on 14th April, 1982 and ending with 4th August, 1983.

[No. F. 9/42/81-BO. I(2)]

का० आ० 1594 :-—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 8 के उपखंड (1) के साथ पठित खंड 3 के उपखंड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् 17 अप्रैल, 1982 से आरम्भ होने वाली तथा 16 अप्रैल, 1985 को समाप्त होने वाली अवधि के लिए, एतद्वारा श्री एम० जी० नायर को इंडियन बैंक के पूर्णकालिक निदेशक (कार्यकारी निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं० एफ० 9/42/81-बी० ओ० I(3)]

च० वा० मीरवन्दानी, उप मंत्रिव

S.O. 1594.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri M. G. K. Nair, as a whole-time Director (designated as the Executive Director) of the Indian Bank for the period commencing on 17th April, 1982 and ending with 16th April, 1985.

[No. F. 9/42/81-BO. I(3)]
C. W. MIRCHANDANI, Dy. Secy.

नई दिल्ली, 12 अप्रैल, 1982

का० आ० 1595.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा यह घोषणा करती है कि उक्त अधिनियम की तीसरी अनुसूची के फार्म "क" के साथ संलग्न टिप्पणी (च) के उपबन्ध 31 दिसम्बर, 1981 की स्थिति के अनुसार तैयार किये गये निम्नलिखित बैंकों के तुलन पक्षों पर उस सीमा तक लागू नहीं होंगे जब उक्त फार्म की सम्पत्ति तथा परिसम्पत्ति शीर्ष की मद 4 के उपशीर्ष (2), (3), (4), और (5) के सामने अन्दर के कालम में दिखाया गया मूल्य उस उपशीर्ष के अन्तर्गत निवेशों के बाजार मूल्य से बढ़ जाएगा। उस उपशीर्ष के अन्तर्गत किये गये निवेशों का बाजार मूल्य कोष्ठकों के अन्दर अलग से दिखाया गया है :—

1. बैंक आफ महाराष्ट्र
2. यूनियन बैंक आफ इंडिया
3. बैंक आफ इंडिया
4. इलाहाबाद बैंक
5. ओरियन्टल बैंक आफ कामस
6. पंजाब नेशनल बैंक
7. बैंक आफ राजस्थान लिमिटेड
8. सेंट्रल बैंक आफ इंडिया
9. देना बैंक
10. इण्डियन बैंक।

[संख्या 15/2/82-बी०ओ०-III]

New Delhi, the 12th April, 1982

S.O. 1595.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Note (f) appended to the form 'A' in the Third Schedule to the said Act shall not apply to the following banks, viz :—

1. Bank of Maharashtra,
2. Union Bank of India,
3. Bank of India,
4. Allahabad Bank,
5. Oriental Bank of Commerce,
6. Punjab National Bank,
7. Bank of Rajasthan Ltd.
8. Central Bank of India.
9. Indian Bank.
10. Dena Bank.

in respect of their balance-sheet as on the 31st December, 1981 which when the value shown in the inner column against any of the sub-heads (ii), (iii), (iv) and (v) of the item 4 of

The Property and Assets side of the said Form exceeds the market value of the investments under that sub-head, shows separately within brackets the market value of the investments under that sub-head.

[No. 15/2/82-B.O. IN]

का०आ० 1596.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा यह घोषणा करती है कि उक्त अधिनियम की धारा 9 के उपर्युक्त 1 दिसंबर, 1983 तक लक्ष्मी विलास बैंक लिमिटेड; मद्रास की अचल सम्पत्ति सम्बन्ध में अवैतनिक तमिलनाडु के तंजावुर जिले में बुदालूर स्थित इसके द्वारा 73½ सेंट्स की धारिता तथा दो भवनों के निर्माण के सम्बन्ध में लागू नहीं होंगे।

[संख्या 15/3/82-बी०आ०-III]
एन०डी० बत्ता, अवर सचिव

S.O. 1596.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India hereby declares that the provisions of section 9 of the said Act shall not apply to the Lakshmi Vilas Bank Ltd., Madras upto the 1st December, 1983 in respect of the immoveable property viz. 73-1/2 cents and two buildings constructed thereon held by it at Budalur, District Thanjavur, Tamil Nadu.

[No. 15/3/82-B.O. III]
N. D. BATRA, Under Secy.

केन्द्रीय उत्पाद शुल्क और सीमाशुल्क बोर्ड
नई दिल्ली, 24 अप्रैल, 1982
सं० 121/82-सीमाशुल्क

का०आ० 1597.—केन्द्रीय उत्पाद शुल्क और सीमाशुल्क बोर्ड, सीमाशुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, गोवा, दमण और दीव तंद्रा राज्यक्षेत्र में जुआरीनगर को भाण्डागारण केन्द्रीय घोषित करता है।

[का० सं० 473/45/82-सी०ण० VII]

CENTRAL BOARD OF EXCISE AND CUSTOMS

New Delhi, the 24th April, 1982

No. 121/82-CUSTOMS

S.O. 1597.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby declares Zuarinagar in the Union territory of Goa, Daman and Diu, to be a warehousing station.

[F. No. 473/45/82-Cus. VII]

सं० 122/82 सीमाशुल्क

का०आ० 1598.—केन्द्रीय उत्पादशुल्क और सीमाशुल्क बोर्ड, सीमाशुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तमिलनाडु राज्य में नीलगिरी जिले के कुनूर नालुक के केट्टी ग्राम को भाण्डागारण केन्द्र घोषित करता है।

[का० सं० 473/43/82-सी०ण० VII]

एन० क० बाहुर, अवर सचिव

S.O. 1598.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby declares village Ketti in Coonoor Taluk of Nilgiris District in the State of Tamil Nadu to be a warehousing station.

[F. No. 473/43/82-CUS. VII]
N. K. KAPUR, Under Secy.

समाहर्तालिय केन्द्रीय उत्पाद शुल्कः मध्यप्रदेश, इंदौर
अधिसूचना सं० 4/82
इंदौर, 13 अप्रैल, 1982

का० आ० 1599.—मध्यप्रदेश समाहर्तालिय, इंदौर के मर्वश्री ए० डब्ल्यू० कालेले तथा बी०ए० पाचोरी, अधीक्षक, केन्द्रीय उत्पाद शुल्क, समृह 'ख' निर्वतन की आयु प्राप्त करने पर 28. 2. 82 के अपराह्न में शासकीय सेवा से निवृत्त हुए।

[प०स० II(3) 9-गोप 82-2008]
प्रा० क० धर, समाहर्ता

CENTRAL EXCISE COLLECTORATE MADHYA PRADESH, INDORE NOTIFICATION NO 4/82

Indore, the 13th April, 1982

S.O. 1599.—S/Shri A. W. Kalele and B. L. Pachori, Superintendent of Central Excise, Group 'B' of M. P. Collectorate Indore, having attained the age of Superannuation, have retired from Government Service in the afternoon of 28th February, 1982.

[C No II(3)9-Con|82|2008]
S. K. DHAR, Collector

(आय-कर अपील अधिकरण)

बम्हा०, 1 अप्रैल, 1982

का०आ० 1600.—अनुपूरक नियम (सलीमेटरी रूल 60 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए विनांक 4 सितम्बर, 1980 की अधिसूचना क्रमांक एफ 215(2)एडी(एटी)/72 द्वारा तथा संशोधित दिनांक 4 फरवरी, 1974 की अधिसूचना क्रमांक VI-ए डी(एटी)/72 की अधोलिखित अधिसूची में निम्नलिखित संशोधन किये जाते हैं:—

आय-कर अपील अधिकरण उत्तरी क्षेत्र, नई दिल्ली के उपाध्यक्ष के सामने:

क्रमांक 3 के सामने शब्द "मध्य प्रदेश" (रायपुर डिवीजन को छोड़कर) के स्थान पर निम्नलिखित को प्रतिस्थापित कीजिए:—

"रीवा, जबलपुर, बिलासपुर और खालियर एवं मध्य प्रदेश के भोपाल डिवीजन के होशगाबाद और बेंगुल जिले,

(2) आय-कर अपील अधिकरण, पश्चिमी क्षेत्र के उपाध्यक्ष के सामने:—

क्रमांक 3 के सामने मध्य प्रदेश के रायपुर डिवीजन के बवले निम्नलिखित को प्रतिस्थापित कीजिए:—

"मध्यप्रदेश होशगाबाद और बेंगुल जिले को छोड़कर रायपुर डिवीजन, इंदौर डिवीजन और भोपाल डिवीजन"

उपर्युक्त संशोधन दिनांक 1 अप्रैल, 1982 से लागू होंगे।

[मं० प्र० 215-एडी (एटी)/72]

INCOME-TAX APPELLATE TRIBUNAL

Bombay, the 1st April, 1982

S.O. 1600.—In exercise of the powers conferred on me by the Supplementary Rule 60, the following amendments are ordered in the Schedule below Notification No. VI-Ad(AT)/73, dated 15th February, 1974 as amended by Notification No. F. 215-Ad(AT)/72 dated 4th September, 1980:—

(1) Against Vice President, Income-tax Appellate Tribunal, Northern Zone, New Delhi:

For the words "Madhya Pradesh (excluding Raipur Division)" against Sl. No. (3), the following may be substituted:

"Rewa, Jabalpur, Bilaspur and Gwalior Divisions and Districts of Hoshangabad and Betul of Bhopal Division of Madhya Pradesh."

(2) Against Vice-President, Income-tax Appellate Tribunal, Western Zone, Bombay:

For the words "Raipur Division of Madhya Pradesh" against Sl. No. (3), the following may be substituted:

"Raipur Division, Indore Division and Bhopal Division excluding Districts of Hoshangabad and Betul of Madhya Pradesh."

The above amendments will come into effect from the 1st April, 1982.

[No. F. 215-Ad(AT)/72]

का०आ० 1601—वित्त अधिनियम, 1972 (1972 का 16) द्वारा यथा संशोधित आयकर अधिनियम, 1961 (1961 का 13) की धारा 252 की उपधारा (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दिनांक 4 सितम्बर, 1980 की अधिसूचना क्रमांक एफ 215 (2)-एडी (एटी)/72 द्वारा यथा संशोधित दिनांक 4 फरवरी, 1974 की अधिसूचना क्रमांक VI एडी/(एटी)/72 की अनुलिखित अधिसूची में निम्नलिखित संशोधन किये जाते हैं:—

(1) उत्तरी क्षेत्र, नई दिल्ली के सामने अनुसूची की मद सं० (2) के नीचे शब्द "इन्दोर न्यायपीठ" को जोड़ दीजिए, और

(2) पश्चिमी क्षेत्र, बम्बई के सामने अनुसूची की मद सं० (2) के नीचे शब्द "इन्दोर न्यायपीठ" को जोड़ दीजिए।

उपर्युक्त संशोधन दिनांक 1 अप्रैल, 1982 से लागू होंगे।

[सं० ए 215(2)-एडी(एटी)/72]

टी डी० सुग्ला, अध्यक्ष

आयकर अधीन अधिकरण, बम्बई

S.O. 1601.—In exercise of the powers conferred on me by Sub-section (5) of Section 252 of the Income-tax Act, 1961 (43 of 1961) as amended by the Finance Act, 1972 (16 of 1972), the following amendments are ordered in the Schedule below Notification No. VI-Ad(AT)/72, dated 4th February, 1974 as amended by Notification No. F. 215(2)-Ad(AT)/72 dated 4th September, 1980:

(1) Delete the words "Indore Bench" under Col. (2) of the Schedule against Northern Zone, New Delhi; and,

(2) Add the words "Indore Bench" against Western Zone, Bombay under Col. (2) of the schedule.

2. The above amendments will come into effect from the 1st April, 1982.

[No. F. 215(2)-Ad(AT)/72]

T. D. SUGLA, President
Income-tax Appellate Tribunal,
Bombay.

वार्षिक भंगालय

(मुख्य नियंत्रक, आयात एवं निर्यात का कार्यालय)

आदेश

नई दिल्ली, 2 अप्रैल, 1982

का०आ० 1602.—सर्वेशी मोदी रबड़ लिमिटेड, मोदीनगर की जर्मनी से पूजीगत माल के आयात के लिए 45,54,351 रुपए मात्र का एक आयात लाइसेंस सं० पी/सी जी/2071919/डब्ल्यू पी 64/एच/सी जी-1 दिनांक 30-7-77 प्रदान किया गया था।

पार्टी ने उपर्युक्त आयात लाइसेंस की मुद्रा विनियम नियंत्रण प्रति की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल प्रति सीमा शुल्क कार्यालय बम्बई में पूजीगत कराने और आंशिक रूप से उपयोग करने के बाद खो गई है/अस्थानस्थ हो गई है।

प्रथमें शर्क के समर्थन में लाइसेंसदारी ने आयात नियंत्रित क्षियाविधि पुस्तक हेड बुक 1981-82 के अध्याय 15 की कांडिका 352 के अनुसार एक शापथ पत्र भी दाखिल किया है। अधोहताक्षरी संतुष्ट है कि आयात लाइसेंस सं० पी जी 2071919 एस/डब्ल्यू पी/64 एच/75 सी जी-1 की मूल मुद्रा विनियम नियंत्रण प्रति खो गई है/अस्थानस्थ हो गई है और निदेश देता है कि आवेदक को उपर्युक्त लाइसेंस की अनुलिपि प्रति जारी की जाए। लाइसेंस की मूल मुद्रा विनियम नियंत्रण प्रति एतद्वारा रद्द कर दी गई है। लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण प्रति भ्रलग से जारी की जा रही है।

[सं० 2084/75/30/सी०जी I]

वी०के० मेहता, उप मुख्य नियंत्रक

MINISTRY OF COMMERCE

(Office of the Chief Controller of Imports & Exports)

ORDER

New Delhi, the 2nd April, 1982

'S.O. 1602.—M/s. Modi Rubber Ltd., Modinagar were granted an Import licence No. P/CG/2071919/S/WP[64]H/75/CG. I dated 30th July, 1977 for Rs. 45,54,351 only for the import of capital goods from West Germany.

The party has requested this office for issue of duplicate exchange control copy of the above mentioned import licence on the ground that the same has been misplaced/lost after having been registered with the Bombay Customs and utilised partly.

In support of their contention the licensee has filed an affidavit as required in para 352 of Chapter XV of Handbook of Import Export Procedures 1981-82. The undersigned is satisfied that the original Exchange Control Copy of Import Licence No. P/CG/2071919/S/WP[64]H/75/CG. I dated 30th July, 1977 has been lost/misplaced and directs that duplicate Exchange Control Copy of the licence may be issued to the applicant. The original Exchange Control Copy of the licence has been cancelled.

The duplicate Exchange Control Copy of the licence is being issued separately

[No. 2084/75/30/CG. I]

V. K. MEHTA, Dy. Chief Controller
Imports & Exports.

ऊर्जा मंत्रालय

(कोयला विभाग)

नई दिल्ली, 19 अप्रैल, 1982

का०आ० 1603.—केन्द्रीय सरकार ने, कोयला धारक भेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय (कोयला विभाग) की अधिसूचना सं० का०आ० 1527 तारीख 28-4-79 द्वारा उम्म अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र में 502.239 हेक्टर (लगभग) या 1241.06 एकड़ (लगभग) माप की भूमि में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और उन्हें तबाश करने उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ने जाने के अधिकारियों का अर्जन करने के अपने आशय की सूचना दी थी;

आंग सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 8 के अनुसरण में अपनी रिपोर्ट केन्द्रीय सरकार को दे दी है;

आंग केन्द्रीय सरकार क., पूर्वोक्त रिपोर्ट पर विचार करने और मध्य प्रदेश सरकार में परामर्श करने के पश्चात् यह समा धान हो गया है कि इसमें संलग्न अनुसूची में वर्णित 502.239 हेक्टर (लगभग) या 1241.06 एकड़ (लगभग) माप की भूमि में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और उन्हें तबाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ने जाने के अधिकारों का अर्जन किया जाना चाहिए;

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करता है कि इसमें उपावड़ अनुसूची में वर्णित 502.239 हेक्टर (लगभग) या 1241.06 एकड़ (लगभग) माप की भूमि में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और उन्हें तबाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ने जाने के अधिकारों का अर्जन किया जाता है।

इस अधिसूचना के अन्तर्गत आने वाले भेत्र के नक्शों का निरीक्षण कलक्टर, विलासपुर (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1 कौमिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में या बेस्टन कॉलफील्ड्स लिमिटेड (राजस्व अनुभाग), कोयल हस्टेट, मिविल लाइन्स नागपुर (महाराष्ट्र) के कार्यालय में किया जा सकेगा।

अनुसूची

राजगमर विस्तार छलाक

(कोएवा कोयला भेत्र)

जिला विलासपुर (मध्य प्रदेश)

प्राइंग संख्या सी-1(ई) III डी आर 200-1181, तारीख 12-11-81

(जिसमें एमो भूमि वर्णित की गई है जिसमें खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और तबाश करने, उन्हें प्राप्त करने इन पर कार्य करने और उन्हें ने जाने के अधिकार अर्जित किए गए हैं)

खनन अधिकार

क्रम सं०	ग्राम का नाम	खेत्र सं०	पु० चौ० तहसील और ज़िला	भेत्रफल (हेक्टर में)		योग भूमि	टिप्पणी	
				सरकारी भूमि	अधिकृत भूमि			
1	2	3	4	5	6	7	8	9
वोडा और ज़िला विलासपुर								
1.	रामनगर	249	19	तहसील काट	328.390	52.856	381.246	भाग
2.	केशुकछार	251	18	"	65.705	0.332	66.037	भाग
3.	कोरकोमा	252	19	"	26.143	12.484	28.627	भाग

1	2	3	4	5	6	7	8	9
4.	केरवा (असर्वेक्षित)	—	19	,	—	—	9,672	भाग
5.	धेनुरडीह (असर्वेक्षित)	—	19	,	—	—	6,657	भाग
					420,238	65,672	502,239	
					हैक्टर	हैक्टर	हैक्टर	
					(लगभग)	(लगभग)	(लगभग)	
					या	या	या	
					1038,43	162,28	1241,05	
					एकड़	एकड़	एकड़	
					(लगभग)	(लगभग)	(लगभग)	

राजगमर ग्राम में अर्जित किए गए प्लाट संख्यांक :

93/1 पी, 93/2, 94 से 99, 100 पी, 101, 102/2, 174 पी, 102/1, 103/1, से 103/3, 104, 105, 106/1, 106/2, 107 से 116, 117/1, 117/2, 118 से 122, 123/1 के पी, 123/1 के एच, 123/1 पी, 123/1 जी एच, 123/2 पी 124/1 से 143, 144/1, 144/2, 145/1, 145/2, पी से 145/5 पी, 162 पी, 163 पी, 146/2, 149 से 164 पी, 165 से 170, 178 पी, 172/1 पी, 172/2 पी, 173 पी, 284/1 के पी, 253 पी, 254 पी, 295/1 के पी, 295/2, 296 से 300, 301, 302/1, के एच पी, 302/1 के, 302/1 जी पी, 302/2 पी, 303 से 308, 309, 311/3, 310/1 पी, 310/2 पी, 311/1 पी, 321, 324/1 पी, 719/2 पी, 723 पी, 724/1 पी, 730/1 पी, 731 से 734, 735 पी, 736 पी, 737/1 के, 737/1 जी पी, 737/1 के एच, 738/1 से 738/4, 739, 740, 741/1 के पी, 742/1, 743/1 पी, 741/2 और 742/2, 743/2 ग्राम केरकछार में अर्जित किए गए प्लाट संख्यांक

49 पी, 86/1 पी, और 87 :

ग्राम कोरकोमा में अर्जित किए गए प्लाट संख्यांक :

1/1 पी, 1/2 पी, 2-17/2, 3-14-15-16-17/1-4-6-12/1-13/1 पी 5-7 पी 12/2 पी, 13/2 पी, 17/3, 17/4, -19-20-17/5, 18-21/1 पी 21/2 पी, और 43/1 पी ।

ग्राम केरवा में अर्जित किए गए प्लाट संख्यांक :

(असर्वेक्षित)

ग्राम धेनुरडीह में अर्जित किए प्लाट संख्यांक :

(असर्वेक्षित) ।

सीमा वर्णन :

क-ख रेखा ग्राम राजगमर के प्लाट संख्यांक 93/1, 123/1 के, 123/2 से होकर जाती है और प्लाट संख्या 311/1 में बिन्दु ख पर मिलती है।

ख-ग-घ-ड-घ-
छ-ज रेखा ग्राम राजगमर के प्लाट संख्यांक 311/1, 310/1, 302/1 के 302/1 जी, 302/1 के एच, 301, 301/2, 323/1, 736, 635 730/1, 724/1, 723, 719/2, से होकर जाती है और ग्राम राजगमर कोर केरवा (असर्वेक्षित) की समिलित सीमा पर बिन्दु ज पर मिलती है।

ज-झ-झ रेखा ग्राम राजगमर और केरवा (असर्वेक्षित) की समिलित सीमा के साथ-साथ और फिर ग्राम राजगमर और केरा कछार से होकर जाती है और बिन्दु झ पर मिलती है।

झ-ट-ठ रेखा ग्राम केराकछार के प्लाट संख्यांक 49, 86/1, से होकर जाती है और फिर ग्राम केरवा (असर्वेक्षित) ग्राम राजगमर के प्लाट संख्यांक 742/1, 743/1 से होकर जाती है और प्लाट संख्यांक 741/1 के बिन्दु ठ पर मिलती है।

ठ-ड रेखा ग्राम राजगमर के प्लाट संख्यांक 741/1 से होकर जाती है और फिर ग्राम कोरकोमा के प्लाट संख्यांक 43/1, 21/2 से होकर जाती है और प्लाट संख्यांक 21/2 में बिन्दु ड पर मिलती है।

झ-ड भेखा ग्राम कोरकोमा के प्लाट संख्यांक 21/1, 4-6-12/1, 13/1, 12/2, 13/2, 1/2, 1/2, 5-7 से होकर जाती है और फिर ग्राम धेनुरडीह (असर्वेक्षित) और ग्राम राजगमर से होकर जाती है और प्लाट संख्यांक 737/1, के 737/1 जी में बिन्दु ड पर मिलती है।

कृ-ण-स

रेखा ग्राम राजगमर प्लाट सख्तांक 737/1 के, 737/1 जी, 294, 293, 295/1 के, 284/1 के, 302/2, 302/1 के, 302/1 जी, 145/3, 145/4, 145/5, 146/2, 149, 164, 163, 162, 171, 172/2, 173, 101, 102/2, 174, 100 से होकर जाती है और प्लाट सख्तांक 94/1 में बिन्दु त पर मिलती है।

त-क

रेखा ग्राम राजगमर से होकर जाती है और प्लाट सख्तांक 93/1 में प्रारम्भिक क पर मिलती है।

[मं० 19/119/81-सी०एल०]

स्वर्ण सिंह, अवार सचिव

MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 19th April, 1982

S.O. 1603—Whereas by the notification of the Government of India in the Ministry of Energy (Department of Coal) No. S.O. 1527 dated 28-4-1979 under sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) and published in the Gazette of India dated 12-5-1979, the Central Government gave notice of its intention to acquire the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 502.239 hectares (approximately) or 1241.06 acres (approximately) in the locality specified in the Schedule appended to that notification;

And whereas the Competent Authority in pursuance of Section 8 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the report aforesaid and after consulting the Government of Madhya Pradesh is satisfied that the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 502.239 hectares (approximately) or 1241.06 acres (approximately) described in the Schedule appended hereto; should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 502.239 hectares (approximately) or 1241.06 acres (approximately) described in the Schedule appended hereto; are hereby acquired.

The plan of the area covered by this notification may be inspected in the Office of the Collector, Bilaspur (Madhya Pradesh) or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the Western Coalfields Limited (Revenue Section) Coal Estate, Civil Lines, Nagpur (Maharashtra).

SCHEDULE

RAJGAMAR EXPANSION BLOCK

(KORBA COAL FIELD)

DISTRICT BILASPUR (MADHYA PRADESH)

Drawing No. C-1(E) III/DR/200-1181

Dated: 12-11-81

(Showing the lands where rights to mine, quarry, bore, dig and search for, win, work and carry away minerals are acquired.)

MINING RIGHTS

Sl. No.	Name of village	Khewat No.	P.C. No.	Tahsil & District	Area in hectares		Total	Remarks
					Govt. land	Tenancy land		
1	2	3	4	5	6	7	8	9
1.	Rejgamar	.	249	19	Tahsil Katghora and District Bilaspur	328.390	52.856	381.246 Part
2.	Kerakachhar	.	251	18	"	65.705	0.332	66.037 Part

1	2	3	4	5	6	7	8	9
3. Korkoma	.	252	10	Tahsil	26,143	12,484	38,627	Part
4. Kerwa (Un-surveyed)	.	—	19	Katghora	—	—	9,672	Part
5. Dhengurdih (Un-surveyed)	.	—	19	and	—	—	6,657	Part
		District		Bilaspur	420.238	65.672	502.239	
		hectares			(approxi-	hectares	hectares	
		(approxi-			mately)	(approxi-	(approxi-	
		mately)			mately)	mately)	mately)	
		or			or	or	or	
		1038.43			162.28	1241.06		
		acres			acres	acres		
		(approxi-			(approxi-	(approxi-		
		mately)			mately)	mately)		

Plot numbers acquired in village Rajgamar:

93/1P, 93/2, 94 to 99, 100P, 101-102/2-174P, 102/1, 103/1 to 103/3, 104, 105, 106/1, 106/2, 107 to 116, 117/1, 117/2, 118 to 122, 123/1K P, 123/1Kh, 123/1G, 123/1Gh, 123/2P, 124 to 143, 144/1, 144/2, 145/1, 145/2P to 145/5P, 162P, 163P, 146/2, 159-164P, 165 to 170, 171P, 172/1P, 172/2P, 173P, 284/1KP, 293P, 294P, 295/1KP, 295/2, 296 to 300, 31-302/1 KhP, 302/1K-302/1GP, 302/2P, 303 to 308, 309-311/3, 310/1P 310/2P, 311/1P, 321, 323/1P, 719/2P, 723P, 724/1P, 730/1P, 731 to 734, 735P, 736P, 737/1K-737/1GP, 737/1Kh, 738/1 to 738/4, 739, 740, 741/1KP, 742/1-743/1P, 741/2 and 742/2-743/2.

Plot numbers acquired in village Kerakachhar:

49P, 86/1P, and 87.

Plot numbers acquired in village Korkoma:

1/1P, 1/2P, 2-17/2, 3-14-15-16-17-1/1, 4-6-12/1-13/1P, 5-7P, 12/2P, 13/2P, 17/3, 17/4-19-20, 17/5, 18, 21/1P, 21/2P and 43/1P.

Plot numbers acquired in village Kerwa:

Un-surveyed.

Plot numbers acquired in village Dhengurdih:

Un-surveyed.

Boundary Description:

- A-B Line passes through village Rajgamar in plot numbers 93/1, 123/1K, 123/2 and meets in plot number 311/1 at point 'B'.
- B-C-D Line passes through village Rajgamar in plot numbers 311/1, 310/1, 302/1K-302/1G, 302/1Kh-301, 310/2, 323/1, 736, 735, 730/1, 724/1, 723, 719/2 and meets at the common boundary of villages Rajgamar and Kerwa (u.s.) at point 'H'.
- H. Line passes along the common boundary of villages Rajgamar and Kerwa (u.s.) and then villages Rajgamar and Kerakachha
- H I.J. and meets at point 'J'.
- J-K-L Line passes through village Kerakachhar in plot numbers 49, 86/1 and then proceeds through village Kerwa (u.s.) and village Rajgamar in plot number 742/1-743/1 and meets in plot number 741/1K at point 'L'.
- L-M Line passes through village Rajgamar in plot number 741/1K and then proceeds through village Korkoma in plot numbers 43/1, 21/2 and meets in plot number 21/1 at point 'M'.
- M-N Line passes through village Korkoma in plot numbers 21/1, 4-6-12/1-13/1, 12/2, 13/2, 1/2, 1/1, 5-7 and then proceeds through village Dhengurdih (u.s.) and village Rajgamar and meets in plot number 737/1K-737/1G at point 'N'.
- N-O-P Line passes through village Rajgamar in plot numbers 737/1K-737/1G, 294, 293, 295/1K, 284/1K, 302/2, 302/1K-302/1G 145/3, 145/4, 145/5, 146/2-159-164, 163, 162, 171, 172/2, 173, 101-102/2-174, 100 and meets in plot number 93/1 at point 'P'.
- P-A Line passes through village Rajgamar and meets in plot number 93/1 at the starting point 'A'.

[No. 19/119/81-CL]
Swaran Singh, Under Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय**(स्वास्थ्य विभाग)**

नई दिल्ली, 8 प्रैल, 1982

कांग्रेस 1604.—यह उक्त अधिनियम के अनुसरण में 1948 का 16 को धारा 3 के खंड (क) का अनुसरण करते हुए पश्चिम बंगाल राज्य निवाचित क्षेत्र से डा० विमल चन्द्र बेरा, बी० एस० सी०, बी० डी० एम० (कलकत्ता) 42 GI/82-3

एम० डी० एस० (लखनऊ) 6, न्यू पॉली रोड, कलकत्ता—700 060, को 23 सितम्बर, 1981 से भारतीय बन्त चिकित्सा परिषद का सदस्य निर्वाचित किया गया है।

अतः इब उक्त अधिनियम के खण्ड 3 के अनुसरण में केन्द्रीय सरकार एवं द्वारा भारत सरकार के पूर्ववर्ती स्वास्थ्य मंत्रालय की 13 प्रैल, 1949 की अधिसूचना संख्या एफ 10-10-48 एम०एस० में, जो स्वास्थ्य और

परिवार कल्याण मंत्रालय की 9 फरवरी, 1978 की अधिसूचना संख्या का०प्रा० 533 में पुनः प्रकाशित हुई है, निम्नलिखित और संशोधन करती है, अर्थात् :—

(क) उक्त अधिसूचना में “धारा 3 के खंड ‘क’ के अधीन निर्धारित” शीर्ष के अंतर्गत क्रम संख्या 6 और उससे संबंधित प्रविष्टियों के स्थान पर, निम्नलिखित क्रम संख्या और प्रविष्टियां प्रतिस्थापित की जाएं, अर्थात् :—

1	2	3	4
“6. डा० बिमल चन्द्र बेरा	पश्चिम बंगाल वन्त	23-9-81	

बी०एस०सी०., चिकित्सा परिषद
बी०डी०एस० (कलकत्ता)
एम०डी०एस० (नव्वनऊ)
कलकत्ता, 700060

[संख्या वी० 12013/3/81-पी०एम०एस०]
के०एल० भाटिया, प्रबन्ध सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE
(Department of Health)

New Delhi, the 8th April, 1982

S.O.1604.—Whereas in pursuance of clause (a) of section 3 of the Dentists Act, 1948 (16 of 1948) Dr. Bimla Chandra Bera B. Sc., B.D.S. (Cal), M.S.D (Lucknow) of 6, New parnasree Road, Calcutta-700060, has been elected from the West Bengal State constituency to be a member of the Dental Council of India with effect from the 23rd September, 1981.

Now, therefore, in pursuance of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. F. 10-10/48-MS, dated the 12th April, 1949, as republished in the Ministry of Health and Family Welfare (Department of Health) Notification No. S.O. 533 dated the 9th February, 1978, Namely:—

(a) In the said notification under the heading “Elected under clause (a) of section 3”, for serial number 6 and the entries relating thereto, the following serial number and entries shall be substituted, namely:—

1	2	3	4
“6 Dr. Bimla Chandra Bera, B.Sc., B.D.S. (Cal), M.D.S. (Luck), Calcutta-700060.	West Bengal Dental Council	23-9-81	

[No. V. 12013/3/81-PMS]
K. L. Bhattacharya, Under Secy.

कृषि मंत्रालय
(खाद्य विभाग)
प्रावेश

नई दिल्ली, 31 मार्च, 1982

का०प्रा० 1605.—यतः केन्द्रीय सरकार ने खाद्य विभाग, क्षेत्रीय खाद्य निदेशालयों, उपायित निदेशालयों और खाद्य विभाग के बेतन तथा लेद्वा कार्यालयों द्वारा किए जाने वाले खाद्यान्नों

के क्रय, भण्डारण, संचलन, परिवहन, वितरण तथा विक्रय के कृत्यों का पालन करना बद कर दिया है जो कि खाद्य निगम अधिनियम, 1964 (1964 का 37) की धारा 13 के अधीन भारतीय खाद्य निगम के कृत्य है।

ओर यतः विभाग, क्षेत्रीय खाद्य निदेशालयों, उपायित निदेशालयों और खाद्य विभाग के बेतन तथा लेद्वा कार्यालयों में कार्य कर रहे और उपरिवर्णित कृत्यों के पालन में लगे निम्नलिखित अधिकारियों और कर्मचारियों ने केन्द्रीय सरकार के तारीख 16 अप्रैल, 1921 के परिपत्र के प्रत्युत्तर में उसमें विनिर्दिष्ट तारीख के अन्दर भारतीय खाद्य निगम के कर्मचारी न बनने के अपने आश्य को उक्त अधिनियम की उपधारा 12 ए के परन्तुक द्वारा यथा प्रक्षित सूचना नहीं दी है।

अतः अब खाद्य निगम अधिनियम, 1964 (1964 का 37) यथा प्रधान संशोधित की धारा 12 ए द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा निम्नलिखित कर्मचारियों को प्रत्येक के सामने वी गई तारीख से भारतीय खाद्य निगम में स्थानान्तरित करती है :—

क्रम संख्या	कर्मचारी का नाम	केन्द्रीय सरकार के समय निगम में स्थानान्तरित करने वाली पद	केन्द्रीय सरकार नान्तरण की क्रमांकीय संख्या
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1	2	3	4	5
1. श्री टी० बाई०	कनिष्ठ गो-	निरीक्षक	1. 3. 69	
	कंजप्पी सुपुत्र	दाम रक्षक		

श्री जी० योहन्सन
सुपुत्र श्री दीवान

सिंह

[संख्या 52/1/32-एफ सी० III]

MINISTRY OF AGRICULTURE

(Department of Food)

ORDER

New Delhi, the 31st March, 1982

S.O. 1605.—Whereas the Central Government has ceased to perform the functions of purchase, storage, movement, transport, distribution and sale of foodgrains done by the Department of Food, The Regional Directorates of Food, the Procurement Directors and the Pay and Account Office of the Department of Food which under Section 13 of Food Corporations Act, 1964 (37 of 1964) are the functions of the Food Corporation of India.

And whereas the following officers and employees serving in the Department of Food, the Regional Directorate of Food, the Procurement Directorates and the Pay & Accounts

Offices of the Department of Food and engaged in the performance of the functions mentioned above have not, in response to the circular of the Central Govt. dated the 16th April, 1971 intimated, within the date specified therein, their intention of not becoming employees of the Food Corporation of India, as required by the provision to Sub-Section 12A of the said Act;

Now, therefore, in exercise of the powers conferred by Section 12A of the Food Corporations Act, 1964 (37 of 1964) as amended upto date the Central Government hereby transfer the following employees to the Food Corporation of India with effect from the date mentioned against them.

S.No.	Name of the officer/employees	Permanent post held under the Central Govt.	Post held under the Central Govt. at the time of transfer	Date of transfer to F.C.I.
1	2	3	4	5
1.	Shri T.Y. Kunjappy S/o Shri G. Yohannan	Junior Godown Keeper	Inspector	1-3-69
2.	Shri Madho Singh S/o Shri Dewan Singh	—do—	Sister	1-3-69

[No. 52/1/82-FC.III]

शुद्धि-पत्र

नई दिल्ली, 31 मार्च, 1982

कांगड़ा 1606.—इस विभाग के आदेश संख्या 52/21/68 एफ० सी० III/एन०जेड०/वाल्यूम 7, दिनांक 11.6.74 में निम्नलिखित शुद्धियां की जायें :-

स्थानान्तरण आदेश की जाने वाली शुद्धियां
में क्रम संख्या

- | | |
|-----|---|
| 298 | कालम 4 में “बही” के स्थान पर “गुण निरीक्षक” पढ़ें। |
| 299 | कालम 4 में “बही” के स्थान पर “प्रधूमन सहायक” पढ़ें। |

II. इस विभाग के आदेश संख्या 52/1/79-एफ०सी०III (वाल्यूम-4), दिनांक 20-9-79 में निम्नलिखित शुद्धियां की जायें :-

- | | |
|----|---|
| 31 | कालम 3 में “गोदाम लिपिक” के स्थान पर “प्रधूमन सहायक” पढ़ें। |
|----|---|

[संख्या 52/1/82-एफ०सी०III]

कंज बिहारी, अधर सत्रिव

CORRIGENDUM

New Delhi, the 31st March, 1982

S.O. 1606.—In this Department's Order No. 52/21/68/FCIII/NZ/Vol. VII dated 11-6-74, the following corrections shall be carried out:

SI. No. in the Transfer Order Correction to be carried out

298	For the words “— do —” in column 4, read “Quality Inspector”
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299	For the word “— do —” in column 4, read “Fumigation Assistant”.
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II. In this Department's Order No. 52/1/79-FC. III (Vol. IV) dated 20-9-79, the following correction shall be carried out:

SI. No. in the Transfer Order Correction to be carried Out

31	For the words “Godown Clerk” in column 3, read “Fumigation Assistant”.
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[No. 52/1/82-FC III]
KUNJ BEHARI, Under Secy.

निम्नणि और आवास संचालन

नई दिल्ली, 14 अप्रैल, 1982

कांगड़ा 1607.—राष्ट्रपति, मूल नियम के नियम 45 के उपबंधों के अनुसरण में, सरकारी निवास-स्थान आवंटन (दिल्ली में साधारण पूल) नियम, 1963 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :-

1. (1) इन नियमों का संक्षिप्त नाम सरकारी निवास-स्थान आवंटन (दिल्ली में साधारण पूल) संशोधन नियम, 1982 है।
- (2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. सरकारी निवास-स्थान आवंटन (दिल्ली में साधारण पूल) नियम, 1963 के कांगड़ा नियम 317-ख-21 के उपनियम (6) में “इक्कीस दिन” शब्दों के स्थान पर “साठ दिन” शब्द रखें जाएंगे।

[कांगड़ा 17013/1/81-पोल-III]

आर० एस० सूक्ष्म उप सम्पदा निदेशक (नीति)

MINISTRY OF WORKS AND HOUSING

New Delhi, the 14th April, 1982

S.O. 1607.—In pursuance of the provisions of rule 45 of the Fundamental Rules, the President hereby makes the following rules further to amend the allotment of Government Residences (General Pool in Delhi) Rules, 1963 namely:-

1. (i) These rules may be called the Allotment of Government Residences (General Pool in Delhi) Amendment Rules, 1982.

(ii) They shall come into force on the date of their publication in the Official Gazette.

2. In the Allotment of Government Residences (General Pool in Delhi) Rules, 1963, in sub-rule (6) of SR-317-B-21 for the words "twenty-one days" the words "sixty days" shall be substituted.

[File No. 17013(1)|81-Pol. II]

R. S. SOOD, Dy. Director of Estates (Policy)

संचार मंत्रालय
(डाक-तार बोर्ड)
नई दिल्ली, 14 अप्रैल, 1982

कर० आ० 1608.—स्थायी आदेश संख्या स्थायी आदेश सं० 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने बुला टेलीफोन केन्द्र में दिनांक 1-5-82 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-6/82-पी एच बी]
आर० सी० कटारिया, सहायक महानिदेशक
(पी० एच० बी०)

MINISTRY OF COMMUNICATIONS

(P&T Board)

New Delhi, the 14th April, 1982

S.O. 1608.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1931, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General Posts and Telegraphs, hereby specifies 1-5-1982 as the date on which the Measured Rate System will be introduced in Dulla Telephone Exchange, Andhra Pradesh Circle.

[No. 5-6/82PHB]
R. C. KATARIA, Asstt. Director General (PHB)

अम संवालय

नई दिल्ली, 15 फरवरी, 1982

का० आ० 1609.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बीना इंजीनियरिंग वर्क्स, थोप्पुनपाड़ी, कोचीन-5, ग्राम मट्टनचेरी, लालुक कोचीन, जिला एरनाकुलम नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बढ़ुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करत हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[मं० एस-35019/64/81-पी० एफ-2]

ए० के० मट्टराई, अवर सचिव

MINISTRY OF LABOUR

New Delhi, the 15th February, 1982

S.O. 1609.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Beena Engineering Works, Thoppunpady, Cochin-5, Matencherry Village, Cochin Taluk, Ernakulam District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by subsection (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019(64)81-PF-II]
A. K. BHATTARAI, Under Secy.

New Delhi, the 8th April, 1982

S.O. 1610.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad in the Industrial dispute between the employers in relation to the management of Messrs Bharat Coking Coal Limited, Post Office Jealgora, District Dhanbad and their workman, which was received by the Central Government on 5-4-1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD
Reference No. 23/80

PARTIES :

Employers in relation to the management of M/s. Bharat Coking Coal Ltd., P.O. Jealgora, Dist. Dhanbad,
AND

Their workman.

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.

For the Workman—Shri B. N. Sharma, Joint General Secretary, J.M.S.

INDUSTRY : Coal.

STATE : Bihar.

Date, the 31st March, 1982

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/s. 10(1)(d) of the Industrial Disputes Act, 1947 (14 of 1947) has referred the dispute to this Tribunal for adjudication under Order No. L-20012/207/79-D.III A dated the 14th April, 1980.

SCHEDULE

"Whether the action of the management of Messrs Bharat Coking Coal Ltd., P.O. Jealgora, District Dhanbad in dismissing Shri S. K. Singh, Typist of Material Management Division from service with effect from the 3rd August, 1978 is justified? If not, to what relief is the said workman entitled?"

2. The case of the workman is that he is in the service of the management since 1973 and he is much senior in service. It is further stated that the management has got several quarters for allotment to its employees but the management allotted several quarters to his juniors to the prejudice of the concerned workman who all along prayed for allotment of a quarter. It is submitted that his prayer for allotment of a quarter was always disregarded.

3. It is however stated that the wife of the concerned workman fell seriously ill whose treatment was urgent but as his financial position was not such as to get a house on rent after paying exorbitant rent, he occupied the quarter in question on the verbal permission of the Welfare Officer and higher officers where he could bring his ailing wife for treatment and get the advantage of free medical aid from the company.

4. It is submitted that in spite of the aforesaid verbal permission the management served a chargesheet dated 15-6-1978 against him alleging that he had forcibly occupied the quarter by breaking open the lock and he was also suspended. A domestic enquiry was held against him and he was finally dismissed from service from the date as mentioned in the reference.

5. It is submitted that he never broke open the lock and that the quarter in question was lying vacant and he occupied the same in the circumstances mentioned above. It is

also stated that his wife ultimately died in the said quarter even before the dismissal order was passed against him.

6. It is also stated that the said order of the management is illegal and unjustified and that he had not committed any misconduct and the punishment of dismissal is an extreme one. The prayer is that the concerned workman should be reinstated with full back wages.

7. The management has come to contest the demand of the concerned workman and their case is that the concerned workman was dismissed for proved misconduct after a fair and proper domestic enquiry held against him in which he was given full opportunity to defend himself.

8. It is stated that the concerned workman Sri S. K. Singh forcibly occupied the Quarter No. 8-56 of the company by breaking open the lock without any authority or allotment. This particular quarter was already allotted to the Town Maintenance Section for opening its office on 3-6-1978. On that very date forcible possession was detected. Accordingly the Estate Manager went there and requested Shri Singh to vacate the quarter but he refused. The letter directing the concerned workman to vacate the quarter was also delivered to him but he refused to accept the same. It is submitted that as the action of the concerned workman in occupying the quarter unauthorisedly and not vacating the same in spite of lawful of the company as also refusal to accept the letters amounted to misconduct which was proved and so he was dismissed. It is submitted that the order of dismissal is justified and the concerned workman is not entitled to any relief.

9. The point for consideration is as to whether the action of the management in dismissing Sri S. K. Singh the concerned workman with effect from 3-8-1978 is justified. If not to what relief the said workman is entitled.

10. It may be mentioned that the preliminary issue as to whether the enquiry was fair and proper was taken up and decided by this Court by order dated 20-2-1982. It has been held that the domestic enquiry was fair and proper.

11. The case therefore, is to be considered on merits only.

12. On behalf of the management the Enquiry Officer MW-1 and a formal witness MW-2 have been examined. Ext. M-1 is the chargesheet, Ext. M-2 is the proceeding, Ext. M-3 is the report of the Enquiry Officer while Ext. M-4 is the dismissal letter.

13. From the enquiry proceeding Ext. M-2 it will appear that the management examined as many as 10 witnesses and also filed certain documents which were marked Ext. 1 to 12. Three witnesses have examined on behalf of the workman also. I have gone through the evidence of the witnesses examined during enquiry stage very minutely and from their evidence it is clearly shown that the concerned workman occupied the quarter in question without any allotment or authority. It is also shown from the evidence that he refused to receive the letter asking him to vacate the quarter and that letter was ultimately sent to him by registered post. However, there is no material evidence to show that the concerned workman occupied the house by breaking open the lock.

14. It is however admitted that the house was occupied unauthorisedly by the concerned workman and so the breaking or non-breaking of the lock is not very material. From the documents filed in enquiry stage also it is shown that the concerned workman refused to receive the letter sent to him by the management.

15. From the chargesheet Ext. M-1 it will appear that the allegation against the workman was that he had forcibly occupied the quarter in question by breaking open the lock without proper authority and that when the Welfare Officer approached him with a letter from the Manager with a request to vacate the quarter he refused to accept the letter. The dismissal letter Ext. M-4 would show that the dismissal was on the ground of the charge of forcibly occupying the quarter in question and refusal to accept the letter from the Manager. The charge of the dismissal letter nowhere says that the dismissal was for willful insubordination or disobedience of any lawful or reasonable order of the superior.

16. It was contended on behalf of the workman that as the dismissal was not for disobedience or any lawful or unreasonable order of a superior hence the order of dismissal should not have been passed.

17. It is admitted that the concerned workman is governed by the Model Standing Order as the management in question has got no Certified Standing Orders of its own. According to the workman forcible occupation of a quarter is not a misconduct and further the refusal to accept any letter is also not a misconduct as described in the Model Standing Order, hence no order or dismissal should have been passed. It is no doubt true that forcible occupation of a quarter has not been defined as a misconduct but it is well settled that the cases of misconduct as mentioned in the standing order is not exhaustive and some other acts may also amount to misconduct. In the present case it cannot be denied that the concerned workman had admittedly occupied the house without any allotment or permission and so the said action of him will come under the term misconduct. It may however be mentioned that the charge of the dismissal order is quite vague and there should have been specific charge on behalf of the management to the effect that the concerned workman had disobeyed any lawful or reasonable order of a superior. But the management has omitted to do so.

18. Nevertheless it must be held that the conduct of the concerned workman in occupying the quarter unauthorisedly amounted to misconduct and this misconduct was clearly proved against him during domestic enquiry.

19. The question however is as to whether for this conduct something like a capital punishment inflicted on the concerned workman can be said to be justified. Every case depends on its own merits. While inflicting any punishment it is the duty of the management to see also circumstances under which an employee commits any act which can be termed as misconduct. It is the definite case of the concerned workman that his wife was ill and her treatment was extremely necessary and therefore in order to get free medical aid he had to bring his wife and for the treatment of his wife he occupied the house in question. Though the workman has said that he occupied it under some verbal order but it is not proved at all. But the fact that his wife was seriously ill and he brought her for treatment has not been controverted by the management. Moreover, it is also the case of the workman that his wife ultimately died in the same quarter even before the order of dismissal was served on him. The order of dismissal is dated 3-8-1978 while the forcible occupation was in June, 1978. This clearly indicate that the condition of the wife of the concerned workman was very serious which ultimately resulted in her death. One can well appreciate the mental agony of an employee whose wife was lying seriously ill and whose financial position was not such as to get a private house after paying exorbitant rent. The rent charged by private owners these days is known to everybody. Under such circumstances even if the concerned workman occupied the quarter without any authority, his misconduct cannot be said to be such a grave as to dismiss him from service and debar him from his bread when he had already lost his wife and when there is acute problem of employment in these days. Moreover it is the case of the workman that many employees junior to him had been allotted quarters but his claim had been ignored. The concerned workman was sufficiently senior in service and he had also approached the management for allotment of quarter to him.

20. Considering all the above facts and special circumstances of the case, I hold that the charge of misconduct for unauthorised occupation of a quarter was proved against the concerned workman but for this misconduct in the given circumstances of the case the extreme penalty of dismissal should not have been awarded against him and the order of dismissal must be held to be unjustified.

21. I think the ends of justice would be met if the concerned workman is reinstated in service with only half the back wages. The loss of half the wages from the date of dismissal till the date of re-employment, in my opinion, is sufficient punishment in the circumstances of the case against the concerned workman.

22. To sum up I hold that the action of dismissal is unjustified and the concerned workman is entitled to be reinstated with only half the back wages.

23. I give my award accordingly.

J. N. SINGH, Presiding Officer
[No. L-20012(207)/79-D.III (A)]

S.O. 1611.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the management of Bararee Colliery of Messrs Bharat Coking Coal Limited, At and Post Office Bhulanbararee, District Dhanbad and their workmen, which was received by the Central Government on the 4th April, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), DHANBAD
Reference No. 23 of 1981

In the matter of an industrial dispute under S. 10(1)(d) of the I.D. Act, 1947

PARTIES :

Employers in relation to the management of Bararee Colliery of Messrs Bharat Coking Coal Limited, At and Post Office Bhulanbararee, District Dhanbad and their workmen.

APPEARANCES :

On behalf of the employers : Shri R. S. Murthy, Advocate.
On behalf of the workmen : Shri D. Mukherjee, Advocate.

STATE : Bihar. **INDUSTRY :** Coal.

Dhanbad, the 31st March, 1982

AWARD

This is a reference under S. 10 of the I.D. Act, 1947. The Central Government by its Order No. L-20012(283)/80-D. III(A) dated 1st May, 1981 has referred this dispute to this Tribunal for adjudication on the following terms :

SCHEDULE

"Whether the demand of the workmen of Bararee Colliery of Messrs Bharat Coking Coal Limited, At and Post Office Bhulanbararee, District Dhanbad that Sarvashri Parikhan and 7 others Stowing Pipe Fitters|Mistries (names given in the annexure) should be placed in category V is justified ? If so, to what relief are the said workmen entitled?"

ANNEXURE

1. Parikhan, 2. Rama Kund, 3. Ram Suchit, 4. Kuderat, 5. Govind Shao 6. Ram Prasad, 7. Tulsi, 8. Charitar.

2. There are 8 workmen in this case who are stowing pipe fitters|mistries. Their names are given in the annexure to the Schedule. Sl. No. 2 is named "Rama Kund" in the annexure. On behalf of the workmen evidence has been led to show that "Kund" is a typographical mistake for 'Nand'. There is no dispute about this from the side of the employers. So Sl. No. 2 should be read as Ramanand instead of Rama Kund.

3. These 8 workmen are in category IV. Their demand is that they should be placed in category V. According to them they have not been placed in category V on account of their being active members of Bihar Colliery Kamgarh Union which is not favoured by the management. According to them similar workers have been placed in category V. Their case in simple is that they are old workers with unblemish record of service, and while other co-workers have been given category V, a discrimination has been made with regard to them. Their prayer is that they should be placed in category V.

4. The management of M/s Bharat Coking Coal Ltd. have denied them category V on the ground that according to the Wage Board recommendation the placement of the concerned workmen in category V would amount to promotion. They have denied that the BCCL after nationalisation has promoted any workman from category IV to category V. It was denied that the concerned workmen have been refused category V on account of their union activities.

5. In order to understand the case of the parties better I would like to place here certain facts. Bararee colliery prior to nationalisation belonged to East India Coal Company. It is an admitted position that the concerned workmen were employees of this private company from before nationalisation. The concerned workmen had called for Form B register to show the date of their first appointment in the colliery

and the category in which they were placed. No such papers have been filed. It was however suggested to Shri Ramanand Sao, WW-1 in cross-examination that Parikhan, Kudrat Govind Sao, and Charitar became stowing mazdoor in 1973 and stowing fitter in 1977, while Ramanand, Ram Suchit, Ram Prasad and Tulsi became stowing mazdoors in 1975 and stowing pipe fitters in 1979. These suggestions were denied. The management have filed a petition stating that Parikhan was promoted to category IV on 1-7-1977, Ramanand on 21-8-1979, Kudrat on 1-7-1977, Ram Suchit on 21-8-1979, Govind Sao on 1-7-1977, Ram Prasad on 21-8-78, Tulsi on 21-8-1979 and Charitar on 1-7-1977. There is no paper to show that prior to this when they were placed in category III. There is nothing to indicate when Mathura Singh, Baijnath, Raj Bahadur and Gouri Sankar were placed in category V. There is also nothing to show the first date of their appointment. The only evidence in that connection is of MW-1, Shri S.K. Bose, Assistant Colliery Manager. He has come to say that he has been working in Bararee colliery since September, 1961 and that Mathura Singh and 3 others named above were placed in category V prior to nationalisation. He does not even know the year of their being placed in category V. In this connection WW-1 has said that Mathura Singh and Raj Bahadur are getting category V from before nationalisation while Baijnath and Govind Sao are getting category V wages after nationalisation. It therefore appears that there is no cogent evidence to come to a conclusion as to when these concerned workmen and 4 others who are in category V were first appointed and how the category had been allotted to them. But this will not be very material for the purpose of this case, as I will hereunder discuss.

6. Shri D. Mukherjee, Advocate representing the workmen has contended before me that the management has colluded the issue raised by the union. According to the union these concerned workmen and other co-workers who have been placed in category V are performing the same job and therefore the action of the management in putting some workers in category V while others in category IV is discriminatory and has to be regarded against the spirit of Article 14 of the Constitution. In appreciating this stand we to go a little deeper into the category and job description as laid down in the Wage Board recommendation. The Wage Board gave six categories which are placed below :

- Category I ... Unskilled
- Category II ... Semi-skilled lower.
- Category III ... Semi-skilled higher
- Category IV ... Skilled (Junior)
- Category V ... Skilled (Senior)
- Category VI ... Skilled (higher).

Para 15 of Section A of Chapter VIII (Vol. I) and Appendix V (Vol. II) are relevant. The categorisation and job description were evolved by the wage board as mentioned by them in their report after full consideration inter-alia of factors, such the degree of skill, strain of work, experience involved, training required responsibility undertaken, mental and physical strain, disagreeableness of task, hazardous work and fatigue involved.

According the stowing pipe fitters|mistries is skilled job. According to the job description and the category laid down for stowing pipe fitters|mistries by the Coal Wage Board are as follows :

Designation	\$killed-wise categorisation.	Category for fixation of pay-scale	Job description
Stowing Pipe Filter/Mistries.	Skilled (Junior)	Category IV	A work-man who joins up and uncouples pipes in sand-stowing ranges and also clamps on patches.
Stowing Pipe Filter/Mistries	Skilled (Senior)	Category-V	A workman who joins up uncouples pipes in sand-stowing ranges and also clamps on patches.

Category V is a higher category than IV and the present pay scales for worker in these categories under NCWA-II are as follows :

Category IV (daily rated)---Rs. 17.75-0.53.24.11.

Category V (daily rated)---Rs. 19.50-0.72.28.14.

7. It will appear that stowing pipe fitters/mistries are skilled workmen placed in three categories, i.e. IV, V and VI. In category-wise there are skilled (Junior) and skilled (senior) and skilled (higher). The workers in these three categories had to be placed according to the degree of skill, strain of work, experience involved, training required, responsibility undertaken, mental and physical strain, disagreeableness of task hazardous work and fatigue involved. In the instant case, MW-1 has said that the distinctive feature is the degree of skill and experience involved. With regard to the degree of skill he has said that there is no particular training for skilled stowing mistries and the skill is judged in the course of work by their superior officers. There is no report before me to show that these concerned workmen have lesser skill than those placed in category V. So far as experience is concerned this has to be on length of service. We do not know whether these concerned workmen have served lesser number of years than those in category V. The job performed by these workmen is similar to the job performed by persons who have been placed in category V. In fact in one shift these concerned workmen work as stowing pipe fitters, while in other shift Mathura Singh and others work as stowing pipe fitters. On behalf of the workmen evidence has been led to show that except these concerned workmen, all other stowing pipe fitters have been placed in category V. This has been denied on behalf of the management. Now there is no difference between the parties on this fact that the work of stowing pipe fitters are performed by these concerned workmen who are in category IV and others who are in category V. We have no evidence before us with regard to the work done by category VI skilled (higher) stowing pipe fitters. The contention of Shri D. Mukherjee is that in the Wage Board recommendation the criteria fixed by the Wage Board recommendation do not as a matter of fact relate to the actual type of work being done by the workers placed in category IV, and category V. According to him the placing of workers in category IV and V by the management is arbitrary. His argument is that the only material consideration was the length of service and he had demanded papers from the management to show that these concerned workmen have better length of service than those who are in category V. According to him an adverse inference should be taken against the management.

8. I have already said that as the case stands now, even the length of service is not material. The management's contention that the workers have to be promoted to higher category on the basis of seniority and skill as determined by the Departmental Promotion Committee is also not relevant. Firstly it has not been shown that the persons who are in category V were at all promoted on the recommendation of the Departmental Promotion Committee. In fact there is divergence of evidence as to whether the workers who are in category V were placed in category V before nationalisation or afterwards when there was no Departmental Promotion Committee. The D.P.C. is a creature of NCWA-I which came in 1975. But even assuming that the matter of promotion from lower category to higher category is a subject matter of Departmental Promotion Committee, it will appear that some of these concerned workmen were promoted to category IV in 1977 and some in 1979. On behalf of the workmen Departmental Promotion Committee papers were called for to establish the contention of the management that the promotion was on the recommendation of D.P.C. No paper was filed to establish this point. On this basis Shri D. Mukherjee has argued that these concerned workmen have been deliberately held back while others have been given category V.

9. I have pointed out the argument placed before me for the simple reason that according to the workmen there has been unfair labour practice on account of the prejudicial attitude of the management with regard to the members of Bihar Colliery Kamgarh Union. While no concrete instance has been given before this Tribunal with regard to the prejudicial attitude of the management towards this union, it is no doubtful true that the management has deliberately held back papers demanded by the workmen to establish their case.

It is an accepted principle that the wages should be consistent to the nature of work which a workman is required to perform and this is the guiding principle to determine the category to which he belongs. In the case of the concerned workmen and those in category V are doing the same work without any distinction. In ordinary course there should be some distinction between the job of category IV and the job of category V. It is true that the Wage Board recommendation made no distinction in the job description. The only distinctive feature was junior, senior and higher. This junior and senior distinction in matters for skilled workers would mean difference in skill and experience. In the instant case there is nothing to indicate this difference. Atleast, if there is any, this has not been placed before this Tribunal. The natural inference is that there is no distinction between the skill and experience of these concerned workmen with the skill and experience of those in category V. In such a situation the principle of equal pay for equal work comes into play. Article 14 of the Constitution makes discrimination like this illegal and unconstitutional. Sri Murthy Advocate representing the management has argued that if the argumen of Shri D. Mukherjee is accepted, it will amount to doing away with category IV altogether. He has however accepted that the Wage Board recommendation is no statutory and it was more recommendatory. The Wage Board gave the different categories of jobs and it was for the management to bring out the distinctive feature of each category so that the workers were entitled to know that they were occupying a particular category by virtue of the difference in job description. I have already said that between category IV and category V the wage board recommendation made no distinction in the job description. But the management could have made the distinction to justify these two categories. I may further point out that the implication of Article 14 has been elaborately dealt with in A.I.R. 1979 (S.C.) 1628. The Bharat Coking Coal Ltd, being a subsidiary of Coal India is a State within the meaning of Article 12 of the Constitution and it has to function like the State in relation to their workers etc. It was therefore incumbent on the part of BCCL to keep a distinction in job description between two categories of employees, for otherwise they could not pay to one category of workers lesser than another category of workers for the same job performed by them.

10. Thus having considered all aspects of the case I have to hold that the demand of the workmen of Baraaree Colliery of Messrs Bharat Coking Coal Limited, at and Post Office Bhulanbararee, District Dhanbad that Sarvashri Parikhan and 7 others Stowing Pipe Fitters/Mistries (names given in the annexure) should be placed in category V is justified. Accordingly, Sarvashri Parikhan, Ramanand, Kudrat, Ram Suchit, Govind Shao, Ram Prasad, Tulshi and Charitar are entitled to category V wages with effect from the date of this award.

This is my award.

J. P. SINGH, Presiding Officer
[No. L-20012(283)180-D. III(A)]

S.O. 1612.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Sendra Bansjora Colliery of Messrs Bharat Coking Coal Limited, Post Office Bansjora, District Dhanbad, and their workmen, which was received by the Central Government on the 3rd April, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), DHANBAD

Reference No. 36 of 1981

In the matter of an industrial dispute under S. 10(1)(d) of the I.D. Act, 1947.

PARTIES:

Employers in relation to the management of Sendra Bansjora Colliery of Messrs Bharat Coking Coal Ltd., P.O : Bansjora, Distt. Dhanbad and their workmen.

APPEARANCES

On beh. lf of the employers Shri P R Sinha,
General Manager, Area No V,
Bharat Coking Coal Ltd
On behalf of the workmen Shri S Bose,
Secretary, Rastrya Colliery
Majdoor Sangh, Dhanbad
STATE Bihar INDUSTRY Coal
Dhanbad, 27th March, 1982

AWARD

This is a reference under S 10 of the ID Act, 1947 The Central Government by its Order No L-20012/(48)/81 D III (A), dated 5th June, 1981 has referred the following dispute to this Tribunal for adjudication on the following term,

SCHEDELE

"Whether the action of the management of Sondra Bansjora Colliery of Messrs Bharat Coking Coal Ltd, Post Office Bansjora, District Dhanbad in not giving promotion to Shri Ram Kripal Singh and 52 others clerical staff (named mentioned in annexure) is justified ? If not to what relief are the concerned workmen entitled ?"

ANNEXURE "A"

Sl No	Name	Designation
1	2	3
1	Ram Kripal Singh	Asstt Cashier
2	P K Ghosh	P F & Bonus Clerk
3	P C Ghosal	—do—
4	H P Singh	—do—
5	D P Singh	—do—
6	H D Goswami	—do—
7	C P Singh	—do—
8	A K Roy	—do—
9	N G Roy	—do—
10	Budhu Kumar	—do—
11	L N Sinha	Asstt Cashier
12	M P Worah	—do—
13	J Pandey	Bill Clerk
14	P L Srivastava	—do—
15	P R Mishra	Leave Clerk
16	G P Banerjee	Bill Clerk
17	R P Sinha	—do—
18	B P Mohanty	—do—
19	R M Lall	—do—
20	G L Srivastava	—do—
21	B P Banerjee	—do—
22	M Prasad	—do—
23	S K. Choubey	Shale Picker
24	R Prasad	Stowing Clerk
25	K N Sharma	Bill Clerk
26	R B Lal	Asstt Clerk
27	K K Choudhury	Typist
28	S B Sahai	Clerk
29	A C Dey	G Clerk
30	P Chatterjee	Asstt Clerk
31	D S Pandey	Store Clerk
32	L R Chatterjee	—do—
33	R J Ahir	—do—
34	Shriram Tamoli	Oil Issue Clerk
35	Shri U P Singh	Soter Clerk
36	Shri G V Shah	Mazagine Incharge
37	Shri Ramadheesh Mishra	—do—

1	2	3
38	H L Roy	Store Keeper
39	C Singh Roy	Asstt Clerk
40	Ramakant Lal	Asstt Clerk
41	G B Das	Store Keeper
42	K N Ojha	Loading Inspector
43	P N Roy	Attendance Clerk
44	Sarju Mishra	—do—
45	S L Ram	—do—
46	Rameshwar Chouhan	—do—
47	S K Chatterjee	—do—
48	Joykant Lal	—do—
49	R K Lal	—do—
50	A N Pandey	—do—
51	B N Singh	—do—
52	A N Rewari	—do—
53	B H Sharma	—do—

2 After receipt of the reference, notices were served upon the parties Accordingly both the parties filed their written statements and rejoinder Ultimately when the case was fixed for hearing on 25-3-82 the parties filed a memorandum of settlement in terms of which some of the workmen were promoted to Grade I and the remaining persons would be placed in Grade I shortly Since the terms are beneficial to the parties I accept the same Accordingly I pass an award in terms of the settlement The settlement will form part of the award

J P SINGH, Presiding Officer
[No L-20012/(48)/81-III/(A)]

BEFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL NO. II AT DHANBAD

Reference No. 36/81

Employers in relation to the management of Sondra Bansjora Colliery,

AND

Their workmen

1 The humble petition on behalf of the parties above-named beg to submit as under —

That, without prejudice to the contentions of the parties contained in their respective written statements, they have settled the dispute on the following terms —

Terms of Settlement

- (a) That, the persons named in the list marked Annexure 'A' have already been promoted to Grade 'I' and the workmen named in the list marked annexure "B" will be promoted shortly to grade 'I'.
- (b) That, the Union accepts this promotion in full and final settlement of the dispute for promotion of all the 53 workmen mentioned in the list attached to the Schedule of reference
- (c) That, the union will not raise fresh dispute for promotion challenging all earlier promotions made to the clerical staff of Sondra-Bansjora Colliery. The remaining staff will be promoted in due course according to the norms of the promotion to fill up the vacancies as and when the same will be available

2 That, in view of the settlement nothing remain to be adjudicated

3 That, the settlement is fair and proper

Under the facts and circumstances stated above, it is humbly prayed that the Hon'ble Tribunal will be graciously pleased to pass the Award in terms of the settlement

Representative of

Workmen :

Sd/- (S. Bose)

Secretary, RCMS.

Witness :

- (1) Sd/- (Illegible)
 (2) Sd/- (Illegible)

Dated 25-3-82

(P.R. SINHA) GM. AREA-V, BCCL
Employer

ANNEXURE "B"

- (1) Sri J. Pandey
 (2) Sri P. K. Ghosh
 (3) Sri P. C. Ghosal
 (4) Sri L. N. Sinha
 (5) Sri Srikant Choubey
 (6) Sri C. P. Singh

ANNEXURE "A"

- (1) Sri Ram Kripal Singh
 (2) Sri G. P. Banerjee
 (3) Sri B. P. Mohali
 (4) Sri R. Piasad
 (5) Sri K. K. Choudhury
 (6) Sri K. N. Sharma
 (7) Sri M. P. Owrah
 (8) Sri K. N. Ojha
 (9) Sri G. B. Das
 (10) Sri S. B. Sahai

New Delhi, the 14th April, 1982

S.O. 1613.—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Industrial Tribunal No. 3, Dhanbad in the industrial dispute between the employers in relation to the management of Amlabad Colliery of Messrs Bharat Coking Coal Limited, Post Office Bhowra, District Dhanbad and their workmen, which was received by the Central Government on the 12th April, 1982.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No 10/80

PARTIES

Employers in relation to the management of Amlabad Colliery of M/s. Bharat Coking Coal Ltd., P.O. Bhowra, Dist. Dhanbad.

AND

Their workmen.

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.
 For the Workmen—Shri J. D. Lal, Advocate.

INDUSTRY : Coal.

STATE : Bihar.

Dated, the 27th April, 1982

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/s 10(1)(d) of the Industrial Disputes Act, 1947 (14 of 1947) has referred the dispute to this Tribunal for adjudication under Order No. L-20012/181/79-D. III(A) dated the 24th January, 1980

SCHEDULE

"Whether the demand of the workmen of Amlabad Colliery of M/s. Bharat Coking Coal Ltd., P.O. Bhowra, Dist. Dhanbad that the workmen mentioned in Annexure 'A' should be regularised is

justified? If so, to what relief are the said workmen entitled?"

ANNEXURE 'A'

1. Rasona Dhoba
2. Dukhi Bhuiyan
3. Ram Saran Bhuiya
4. Molindo Rajwar
5. Paria Bourin
6. Makar Mahato
7. Shankar Rajwar
8. Chintu Rajwar."

2. From the above reference it will appear that there are as many as 8 workmen involved in the case who are all casual wagon loaders. Out of them Sl. No. 4, 6 and 7 viz Molindo Rajwar, Makar Mahato and Shankar Rajwar have been employed as miners underground and they have been regularised in their post and so admittedly these three concerned workmen are now not interested in the present reference. The present reference will therefore govern the case of workmen mentioned in Sl. No. 1 to 3, 5 and 8.

3. The case of these 5 workmen is that they have been working as wagon loaders in Amlabad Colliery for the last 10 to 15 years continuously and prior to that they were working on different time rated jobs. It is alleged that though they are working for the last 10 to 15 years as wagon loaders they are still being treated as so called casual wagon loaders and are not allowed to work on all working days and are made idle in between according to the whims of the management. It is submitted that the management deliberately keeps them idle for some days every month so that they may not be regularised and the above action is malafide and amounts to unfair labour practice and that the concerned workmen will never be made permanent throughout their life.

4. It is next alleged that these workmen are governed by the certified standing orders of the management but under the certified standing orders no employee has been classified as so called casual and though the concerned workmen had fulfilled the requirements of a permanent workmen but they have been made permanent as such. It is also stated that they have put in 240 days attendance or even more during 12 consecutive calendar months during the period from 1972 to 1976 but they have been denied the benefit of being regularised. According to them Dukhi Bhuiyan, Ram Saran Bhuiya and Chintu Rajwar have put in 240 days attendance from April 75 to 1976 but still they have not been regularised. The concerned workmen, therefore, demand that they should be regularised as permanent wagon loaders and be paid wages for the period of forced idleness.

5. The defence of the management is that the concerned workmen are casual wagon loaders and they are engaged as and when required for loading wagons on the dates when the wagons are supplied more than normal. It is stated that the supply of wagon is always erratic and hence a large number of causal wagon loaders are employed for loading excess wagons supplied on some days and that a casual worker cannot claim for his employment or for his regularisation as permanent workman. It is also stated that the management in consultation with trade unions have issued a circular to make permanent all the casual workers who put in 240 days of attendance in any calendar year on the surface and 190 days underground and that the casual workmen who fulfilled the above condition have already been made permanent. According to them workmen mentioned in Sl. Nos. 6 & 7 have already been made permanent and as rest of the workmen who did not complete 240 days attendance in a calendar year have not been made permanent and they will be made permanent when they will fulfill the above condition.

6. It is also stated that the casual wagon loaders are given employment depending upon the number of wagons available on different rates provided they report for duties on the relevant dates and a casual wagon loader who reports for duty regularly and in time naturally puts more number of attendances than a casual wagon loader who is irregular in attending to his duties. It is stated that the bonus register

would show that none of these concerned workmen completed 240 days attendance in a calendar year and hence they were not made permanent.

7. On the above grounds it is prayed that the reference be decided in favour of the management.

8. The point for consideration is as to whether the demand of the concerned workmen that they should be regularised is justified. If so, to what relief they are entitled.

9. It is not denied that the concerned workmen are working for the last several years but they have not been made permanent till now and are being treated as casual labourers. Ram Saran Bhulya one of the concerned workman has examined himself as WW-1 and has stated that though these workmen are working for the last several years they have not been made permanent. It is admitted by him that railway wagons are not supplied in time and that the number of wagons supplied on alternate dates is also not fixed. It is also admitted by him that casuals are employed only when permanent loaders are exhausted.

10. On behalf of the management MW-1 Sri M. S. Bussan Area Manager has been examined. He has stated that the wagon supply is not uniform and that these workmen who are casual workers are engaged only when large number of wagons are supplied. He has further stated that certain rules have been framed by the management according to which any casual labour who completes 240 days attendance in a calendar year is to be regularised and under this rule several casual wagon loaders have been regularised, but the concerned workmen as they did not complete 240 days have not been regularised.

11. In support of it the management has filed Ext. M-8 which is a circular dated 24th June, 1977 on the subject of regularisation of casual wagon loaders. It had framed a scheme according to which all casual wagon loaders who have put in more than 240 days attendance in any two or more calendar years out of four years i.e. 1973, 1974, 1975 & 1976 are to be absorbed as permanent wagon loaders from 1st July, 1977. It also provides that those who have not put in more than 240 days attendance during any of the above four calendar years will qualify for inclusion in a seniority list to be prepared area-wise and for preparation of the seniority list the average attendance during the three calendar years will be taken as basis. Thus according to this circular it will appear that only those casual wagon loaders who have put in more than 240 days attendance in any calendar year out of the four years mentioned above were to be made permanent from 1st July 1977. The management has filed bonus registers for the years 1974 to 1979 (Exts M-1 to M-6) to show that none of these concerned workmen have completed 240 days in a calendar year and hence they were not made permanent. The identity card register Ext. M-7 has also been filed to show that the concerned workmen are casual labourers. It is not denied that bonus register is a statutory register and the entries in it should not be disputed. No material has been put before me on behalf of the workmen to show that the bonus register is incorrect or does not represent the true state of affairs. These registers mention the dates of attendance of the concerned workmen in different years and as per circular Ext. M-8 they did not put in 240 days attendance in a calendar year hence they have not been regularised.

12. It was urged on behalf of the workmen that the certified standing orders of the management has not defined the word 'casual workmen' and the definition is only of permanent, probationer, badli and temporary employees. According to the workmen, therefore, as per standing orders there is nothing as casual worker hence the concerned workmen should not have been treated as casual worker and they should be treated as temporary employees. On behalf of the management however it is urged that the standing order is not exhaustive and in all the collieries several workmen are being engaged as casual labourers and for them as the standing order was not very clear the Circular Ext. M-8 was issued mentioning the conditions under which they were to be made permanent.

13. The learned Advocate for the workmen referred to Section 25-B of the Industrial Disputes Act and stated that as per definition given in the said Section the concerned

workmen should be treated as a permanent workman. Section 25-B has defined the word 'continuous service' and sub-clause (2) says that where a workman is not in continuous service within the meaning of clause (1) for a period of one year or six months he shall be deemed to be in continuous service under an employer for a period of one year, if the workman during a period of 12 calendar months preceding the date with reference to which calculation has to be made has actually worked under the employer for not less than 190 days underground and 240 days in any other case. It is submitted that the case of the concerned workmen should be treated as per this section and as 240 days has been completed by these workmen during a period of twelve calendar months hence they should be made permanent. The learned Advocate has tried to show that the norms prescribed that it should be treated one calendar year is not correct and it should be within 12 calendar months.

14. But it is a settled principle of law that the standing orders relate to the conditions of service of a workman and a workman is to be governed by the service conditions as laid down in a certified standing order. The definition of continuous service as given in the Industrial Disputes Act will not govern the cases if such period is prescribed under the Standing Orders or under any subsequent rule made by the management. As the standing order was not specific about casual workmen hence the management framed a rule that for making the casual loaders permanent the attendance of 240 days should be in one calendar and I do not think that the workmen are entitled to any relief in view of the rule framed by the management vide Ext. M-8.

15. It will appear that the nature of job of the concerned workmen are not regular and they are employed only when sufficient number of wagons are available. In such cases under the rule framed by the management (Ext. M-8) the concerned workmen will be entitled to be regularised only when they will complete 240 days attendance as per above rule. The management's Advocate submit that these concerned workmen will be made permanent as and when they fulfill the norms as prescribed under Ext. M-8.

16. Taking into consideration the evidence on record and the document Ext. M-8, I hold that the demand of the concerned workmen to be regularised as permanent wagon loader is not justified and they are not entitled to any relief.

17. I give my award accordingly.

J. N. SINGH, Presiding Officer
[No. I-20012/181/79-D.III(A)]

S.O. 1614.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3 Dhanbad in the industrial dispute between the employers in relation to the management of Amlabad Colliery of Messrs Bharat Coking Coal Limited, Post Office Bhowra, District Dhanbad and their workmen, which was received by the Central Government on the 12th April, 1982.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD
Reference No. 11/80

PARTIES :

Employers in relation to the management of Amlabad Colliery of M/s. Bharat Coking Coal Ltd., P.O. Bhowra, Dist. Dhanbad,

AND

Their workmen

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.

For the Workmen—Shri J. D. Lal, Advocate.

INDUSTRY : Coal.

STATE : Bihar

Dated, the 3rd April, 1982

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/s 10(1)(d) of the Industrial Disputes Act, 1947 (14 of 1947) has referred the dispute to this Tribunal for adjudication under Order No. L-20012/175/79-D. III(A) dated the 29th January, 1980.

SCHEDULE

"Whether the demand of the workmen of Amlabad Colliery of M/s. Bharat Coking Coal Ltd., P.O. Bhowra, Dist. Dhanbad that the workmen mentioned in Annexure 'A' should be regularised as Watermen Category-I is justified? If so to what relief are the said workmen entitled?"

ANNEXURE 'A'

1. Shri Radha Nath Choudhary
2. Shri Akuri Rajwar
3. Shri Kisto Rajwar
4. Shri Mukundhari Singh
5. Shri Kamreco Rajwar
6. Shri Somi Mahto
7. Shri Ruplal Mahto
8. Shri Maheshwar Mahto

The case of the workmen is that they have been working in Amlabad Colliery as Watermen for the last several years continuously and that they supply drinking water from the wells to the quarters of the employees working in the colliery and also to the offices for drinking purpose during office hours. It is submitted that as per Coal Wage Board recommendation watermen are placed in Category I and these concerned workmen are also entitled to be paid Category I wages, but the management has been paying them petty sum on piece-rated basis which is illegal. The concerned workmen made several representations before the management for Category I wages and for regularisation as watermen Category I which was refused and therefore they raised an industrial dispute which during conciliation ended in failure and thereafter the present reference was made. The concerned workmen, therefore, has prayed for regularisation as watermen Category I with full wages and other legal benefits.

3. According to the management however the present reference is not maintainable as the concerned workmen are not workmen in a mine and there is no relationship of employer and employee between them. It is stated that the concerned workmen were mere suppliers of water to staff quarters and they were paid at the rate of 0.50 paise per bhar of river water and 0.19 paise per bhar of well water and that this was a stop gap arrangement till regular supply of water was to be started by the management. It is also stated that the concerned workmen work independently and there was no supervision by the officials of the management and that they supply water not only to the colliery employees but to the villagers also. It is submitted that as the concerned workmen are not workmen in the colliery they are not entitled to Category I wages.

4. The point for consideration is as to whether the demand of the concerned workmen that they should be regularised as watermen Category I is justified and if so to what relief they are entitled.

5. It is not denied that the concerned workmen are supplying water in the quarters of the company employees. This fact has been admitted by MW-1 Area Manager also and it is stated that as the supply system of drinking water was not completed, hence some persons were engaged part-time for supply of drinking water to the staff and officers at their residence. The management has also filed the Form B register as also the diaries Ext. M series to show that the name of the concerned workmen are not entered in Form B register. Vouchers Ext. M series have also been filed to show that the concerned workmen were paid in vouchers according to the number of bhars supplied by them.

6. The main question to be determined, therefore, is as to whether the concerned workmen are workmen in a mine and whether the present reference can be referred to by the Central Government.

7. The word 'mine' has been defined under the Industrial Disputes Act which means the mine as defined under the Mines Act. The Central Government is the appropriate authority only when a workman will be deemed to be a workman in a mine. Under the Mines Act 'mine' means any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on and includes any premises or part thereof on which any process ancillary to the getting, dressing or preparation for sale of minerals or of coke is being carried and any work which is incidental to or connected with the mining operation. The question, therefore, to be considered is as to whether the supply of water is a statutory provision under the Mines Act and the persons supplying water must be held to be a workman in a mine. For this the learned Advocate for the workmen had referred to Section 19 of the Mines Act. Section 19 provides for the arrangement of drinking water at suitable points in a mine. It does not say that drinking water is to be supplied even in the quarters or office of the employees. Now if the concerned workmen would have been supplying water in the mine itself then their duties would have been statutory U/s. 19 of the Mines Act and the present reference would have been legal and valid. It may be that they are workmen under the management but they cannot be said to be a workman working in a mine. It is well settled that reference can be made by the Central Government only if a workman will be deemed to be a workman in a mine. A workman working in the office of a mine cannot be held to be a workman as held by the Supreme Court in famous Sirajuddin case reported in Vol. 3 S.C.L.J. page 1800.

8. The learned Advocate for the workmen has also cited some rulings before me to show that the concerned workmen will be deemed to be workmen in a mine, these rulings are reported in Vol. 3 S.C.L.J. page 2022, Vol. 10 S.C.L.J. page 123 and 21 and Vol. 4 S.C.L.J. page 2307. The facts of these rulings are quite different from the present one and the principles enunciated in those rulings are not applicable to the present case. On behalf of the workmen a copy of an arbitration award Ext. W-1 has also been filed to show that the A.L.C. Dhanbad in a similar case held that a waterman is a workman in a mine. From a perusal of that award it will appear that the workman of that case was engaged in supplying drinking water at different working points of the mine. The supply of drinking water at different points in a mine will certainly be deemed to be a work connected with and incidental to the mining operation and hence the said workman was rightly held to be a workman in a mine. But the facts of the present case is quite different and so the said award is not helpful to the concerned workmen in any way. I have already mentioned that the matter would have been quite different if the concerned workmen would have been supplying water in the mine itself. In that case they would have been deemed to be a workman in a mine and they would have been entitled to get Category I as claimed by them. But the concerned workmen are supplying water at the residence of the employees and this work cannot be said to be incidental to or connected with the operation of the mine.

9. On the above facts and circumstances it is held that the concerned workmen are not workmen in a mine and hence their demand for regularising them in Category I is not justified and in the result the concerned workmen are not entitled to any relief.

10. I give my award accordingly.

Sd/-

J. N. SINGH, Presiding Officer.
[No. L-20012/175/79-D.III(A)]
A. V. S. SARMA, Desk Officer.

आदेश

नई दिल्ली, 12 अप्रैल, 1982

का० आ० 1615. :—भारत सरकार के श्रम मंत्री रोजगार विभाग की अधिसूचना संख्या 2653, तारीख 24 अगस्त, 1966 द्वारा गठित आंदोलिक अधिकरण, कलकत्ता के पीठासीन अधिकारी के पद रिक्त हुआ है।

अत श्रीदोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुसरण में, केन्द्रीय सरकार श्री मदीनी प्रसाद सिंह को 23-2-1982 से उक्त अधिकारण के पीठासीन अधिकारी के रूप में नियुक्त करती है।

[सं. एस-11020/1/82-डी-आई ए(27)]

ORDER

New Delhi, the 12th April, 1982

S.O 1615.—Whereas a vacancy has occurred in the Office of the Presiding Officer of the Industrial Tribunal, Calcutta constituted by the notification of the Government of India in the Department of Labour and Employment Notification No 2653 dated the 24th August 1966.

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri Medini Prasad Singh as the Presiding Officer of the said Tribunal with effect from 23-2-1982.

[No S-11020/1/82/DIA(ji)

श्रीदेश

का० आ० 1616—भारत सरकार के तत्कालीन श्रम और रोजगार विभाग की अधिसूचना संख्या का० आ० 2652 तारीख 24 अगस्त, 1966 द्वारा गठित श्रम न्यायालय, करकल्पा के पीठासीन अधिकारी का पद नियुक्त हुआ है,

अत, अब श्रीदोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुसरण में केन्द्रीय सरकार श्री मदीनी प्रसाद सिंह को 23-2-1982 से उक्त न्यायालय के पीठासीन अधिकारी के रूप में नियुक्त करती है।

[सं. एस-11020/1/82-डी० आई०ए०(1)]

एल० के० नारायणन, अवर सचिव

ORDER

S.O 1616—Whereas a vacancy has occurred in the Office of the Presiding Officer of the Industrial Tribunal, Calcutta constituted by the notification of the Government of India in the then Department of Labour and Employment Notification No. S.O 2652 dated the 24th August, 1966.

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri Medini Prasad Singh as the Presiding Officer of the said Tribunal with effect from 23-2-1982.

[No S-11020/1/82/DIA(i)]

L. K. NARAYANAN, Under Secy

New Delhi, the 13th April, 1982

S.O. 1617—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Dhanbad in the industrial dispute between the employers in relation to the management of Stone Quarries in the district of Santal Parganas and their workmen, which was received by the Central Government on 29th March, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD Reference No. 7 of 1981

In the matter of an industrial dispute under S 10(1)(d) of the I.D. Act, 1947

PARTIES

Employers in relation to the management of Stone Quarries in the district of Santal Parganas and their workmen.

APPEARANCES .

On behalf of the employers :

- 1 Shri Swaran Kumar,
Paktua Stone Mines, (Sl. No. 8)
- 2 Shri Naisingh Chowda,
Patmivona Stone Mines, (Sl. No. 9)
- 3 Shri Bhagwan Singh
Tentulia Stone Mine (S. No. 11)
- 4 Shri Arun Kumar,
Chapandi Stone Mine (Sl. No. 13)
- 5 Shri Dewanand,
Modikola Stone Mine (S. No. 14)
6. Shri Subodh Kumar Dubey,
Modikola Badapahar Stone
Mine (S. No. 15)
7. Shri Siv Shankar,
Modikola Stone Mine (Sl. No. 18).
8. Shri K. C. Karmakar,
Modikola Stone Mine (Sl. No. 19).
9. Shri Samu Kumar Gupta,
Motiharna Stone Mine (S. No. 20).
10. Shri Puostam Sharma,
Chirania Kalyani Stone Mine, (S. No. 21).
11. Shri Bedanand Pandey,
Kalyani Stone Mine (S. No. 24)
12. Shri Santosh Kumar Singh,
Kusmadanga Stone Mine (S. No. 31).
13. Shri Sambhu Dey,
Kusmadanga Stone Mine (S. No. 32)
14. Shri Subodh Kumar Dubey,
Gokulpur Stone Mine (S. No. 33).
15. Shri Devanand,
Gokhulpur Stone Mine (S. No. 34).
16. Shri M. D. Khan,
Borna Stone Mine
17. Shri R. N. Jha,
Borna Stone Mine
18. Shri Bachaspali Chaturvedi,
Shari Bindhyani Stone Works
19. Shri R. N. Jha,
Bastia Stone Mine.
20. Shri C. Chatterjee,
Chapandey Stone Mine.
21. Shri S. Chatterjee
Chapanday Stone Mine.
22. Shri Dulal Chandra Dey,
Kalyani Stone Mine.
23. Shri Gopal Chandra Das,
Chapendey Stone Mine
24. Shri Kishore Saroogi,
Balbhadr Stone Mine.
25. Sri B. P. Khemka
Mundli Stone Mine.
26. Sri Vijya Kumar Khemka,
Belbhadri Stone Mine

On behalf of the workmen .

Shri D. Mishra,
General Secretary Queries
Workers Union, INTUC, Pakur

STATE : Bihar.

INDUSTRY : STATE Querry.

Dhanbad, 23rd March, 1982

AWARD

This is a reference under S. 10 of the I.D. Act, 1947. The Central Government by its order No. L-29011/58/80-D.III(B) 7th February, 1981 has referred this dispute to this Tribunal for adjudication on the following terms.

SCHEDULE

"Whether the demands of the workmen of Stone quarries/mines of the employer given in the Annexure for the payment of bonus for the accounting year ending 79-80 at the rate of 20 per cent of their earning is justified? If not, what quantum of bonus and/or relief are the said workmen entitled to?

ANNEXURE

1. Shri M. D. Khan, Borna Stone, P.O. Barhanwa S. P.
2. Shri R. J. Jha, Borna Stone Mine, Vill : Ratanpur, P.O. Barharwa.
3. Shri Lawrence Das, Gujra, Bedow Stone Mine, Vill. Jhikitia, S. P.
4. Shri Bindhvani Stone Works, Prop : Bachispatti, Vill: Jhikitia, P.O. Barharwa, S.P.
5. Shri Birendra Kumar Singh, Bouri, Basti Stone Mines, Barhnwa, S. P.
6. Shri Manik Kr. Singh, Bouri Basti Stone Mine, Vill: Kalitola P.O. Barharwa, S.P.
7. Shri Santosh Kumar Dokania, Chapandey Stone At & P.O. Barharwa, S.P.
8. Shri Gial Das, Owner, Pakturi Stone Mine, Bakundih at Pakur.
9. Shri S. Narsing Chowdhury, Patnibona Stone Mine at S.P.
10. Shri Bholanath Mukherjee, Chipakhar Stone Mines, P.O. Bakudih.
11. Shri Pama Mall, owner Tentulia Stone Mine, P.O. Bakudih, S.P.
12. Shri Ravindra Kumar Singh, Podarkola Stone Mine, Bakudi, S.P.
13. Shri Jagumal, owner Chapandey Stone Mine, P.O. Barharwa, S.P.
14. Tikam Das, owner Modikola Stone Mines, S.P.
15. Shri Ghanshyam Das, owner Modikola Bedpahar Stone Mine, Barharwa.
16. Shri Kali Sankar Bhagat, Chandey Stone Mine, P.O. Barharwa, S.P.
17. Shri Santosh Kumar Sharma, owner Chapandey Stone Mine, S.P.
18. Shri Om Prakash, owner Modikola Stone, P.O: Barharwa, S.P.
19. Shri B. K. Sardha, owner, Modikola Stone Mine, P.O. Barharwa, S.P.
20. Shri Namdeo Madhya, Motijharna Stone Mine, P.O. Maharajpur, S.P.
21. Shri Mahabir Prasad, Chairma Kalyani Stone Mine, Maharajpur, S.P.
22. Shri B. N. Kediya Kalyani Stone Mine, Maharajpur, S.P.
23. Shri Mahabir Prasad Mandal, Chapal Stone Mine, Maharajpur S.P.
24. Shri Bedanand Pandey, Kalyani Stone Mine, Maharajpur, S.P.
25. Shri Dinesh Bharatia, Kalyani Stone Mine, Maharajpur, S.P.
26. Shri B. P. Khemka, Mirjachouki, Mundli Stone Mine, Mirjachouki, S.P.
27. Shri Bijoy Kumar Khemka, Belbhadi Stone Mine, Mirjachouki, S.P.
28. Shri Harbans Singh, Mirjachouki, Belbhadi Stone Mine, Mirjachouki, S.P.
29. M/s. International overseas Corporation, Belbhadi Stone Mine, Mirjachouki, S.P.
30. Shri Gouranga Prasad Singh, Sundar Stone Mine, Mirjachouki S.P.

31. Shri Santosh Kumar Singh, Owner Kusmadanga Stone Mine, Pakur, S.P.
32. Shri Sambhu Dey, Owner Kusmadanga Stone Mine, P.O. Pakur, S.P.
33. Shri Sudarsan Kumar, Lakhmani Owner Gokulpur Stone Mine, Pakur, S.P.
34. Shri Hiranand Lakshmani, owner, Gokulpur Stone Mine, P.O. Pakur, S.P.

2. After the receipt of the reference notices were sent to the parties for filing their written statement. Thereafter 26 employers as mentioned above filed Four different settlements with the union viz. Quarries Workers Union, INTUC, Pakur. The terms of the settlement are beneficial to both the parties. Hence I accept the settlement. The Four settlements will form part of the award. The rest 8 employers as mentioned in the schedule of the reference did not turn up inspite of notice as they are not interested in the matter. So far as they are concerned, it will be treated as no dispute.

J. P. SINGH, Presiding Officer.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 7 of 1981

Employers in relation to the management of Md. Khan and 34 others in the District of Santhal Parganas,
AND

Their workmen represented by Quarry Workers' Union Pakur (I.N.T.U.C.)

The management's Representative and their workmen have arrived at an amicable settlement on the terms of settlement given below :—

Terms of Settlement

1. That the management given below and the Union representing the workmen have agreed to pay Bonus for the Accounting year 1979 or in 1979-80 @ 10.5% (Ten and half per cent) of the total emoluments earned by the employees.

2. That the management agree to pay two months emoluments to their monthly paid staff.

3. The payment will be made to their employees in presence of the General Secretary/President or their authorised Representatives represented by Quarries Workers' Union (INTUC), Pakur on or before 15-6-1981.

4. The Employer agree to maintain all Registers and Records as per the provisions of the Payment of Bonus Act, 1965. The payment of Bonus as per Clause 1 and 2 shall be inclusive of bonus payable under the Provisions of the Payment of Bonus Act 1965 as in force and if any higher bonus is payable to the workmen they shall be entitled for the same.

5. That the Union/workmen have no more claim than the percentage mentioned in para above at present.

Parties to this Settlement	Serial Number in the Schedule of Reference
1	2
1. Shri Santosh Kumar Sharma, Owner, Chapandey Stone Mine, P.O. Barharwa (S.P.)	17
6. That both the management and Quarries Workers' Union, Pakur (I.N.T.U.C.) jointly pray to your honour kindly to pass an award on the terms of settlement mentioned above.	
Signature of the Representative of the management	Signature of the Representatives of the Workmen.
(Gopal Chandra Das) For & on behalf of Shri Santosh Kumar Sharma, Owner, Chapandey Stone Mine, Pakur (S.P.)	(D. Mishra) General Secretary, Quarries Workers Union (I.N.T.U.C.)

**BEFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL NO. 2 DHANBAD,**

Reference No. 7 of 1981

Employers in relation to the managements of Sri B.P. Khomka, Owner, Mundli Stone Mine, Mirzachouki & Sri Vijay Kumar Khemka, Owner, Balbhadr Stone Mine, Mirzachouki (S.P.)

AND

Their Workmen represented by Quarry Workers Union Pakur (I.N.T.U.C.)

The management's representatives and their workmen have arrived at an amicable settlement on the terms of settlement given below :

Terms of Settlement

- That "the managements given below and the union representing the workmen have agreed to pay Bonus for the a/c year 1979 or in 1979-80 at the rate of 10.5% (Ten and half percent) of the total emoluments earned by the employees.
- That the managements agree to pay two months emoluments to their monthly paid staff.
- The payment will be made to their employees in presence of the General Secretary or their authorised representative represented by Quarries Workers Union (INTUC), Pakur on or before 15-5-1981.
- The Employers agree to maintain all Registers and as per the provisions of the Payment of Bonus Act, 1965. The payment of bonus as per clause 1 and 2 shall be inclusive of bonus payable under the provisions of the Payment of Bonus Act, 1965 as in force and if any higher bonus is payable to the workmen they shall be entitled for the same.
- That the union/workmen have no more claim than the percentage mentioned in para 1 above at present.
- That both the management and Quarries Workers Union, Pakur (INTUC) jointly pray to your honour to kindly pass an award on the terms of settlement mentioned above.

**Signature of the representatives Sl.No. Signature of the
of the managements Representative of
the workmen**

Sri B.P. Khemka, Owner, 26

Mundli Stone Mine,
Mirzachouki (S.P.).

Sri Vijay Kumar Khemka, 27. (D. Mishra)

Owner, Balbhadr Stone Mine,
Mirzachouki (S.P.)

Accounting year 1979 or in 1979-80 @ 10.5% (Ten and half per cent) of the total emoluments earned by the employees.

2. That the management agree to pay two months emoluments to their monthly paid staff.

3. The payment will be made to their employees in presence of the General Secretary/President or their authorised Representatives represented by Quarries Workers' Union (INTUC), Pakur on or before 15-5-1981.

4. The Employers agree to maintain all Registers and Records as per the provisions of the Payment of Bonus Act, 1965. The payment of Bonus as per Clause 1 and 2 shall be inclusive of bonus payable under the Provisions of the Payment of Bonus Act 1965 as in force and if any higher bonus is payable to the workmen they shall be entitled for the same.

5. That the Union/workmen have no more claim than the percentage mentioned in para 1 above at present.

Parties to this Settlement	Serial Number in the Schedule of Reference
1	2
1. Shri Md. Khan, Borna Stone, P.O. Barharwa (S.P.)	1
2. Shri R. N. Jha, Borna Stone Mine, Vill. Ratanpur, P.O. Barharwa (S.P.)	2
3. Shri Bindhvani Stone Works, Prop. Bachaspatti, Vill. Jhikitia, P.O. Barharwa (S.P.)	4
4. Shri Birendra Kumar Singh Buri Basti Stone Mines, P.O. Barharwa (S.P.)	5
5. Shri Santosh Kumar Dokania, Chapandy Stone Mines, At & P.O. Barharwa (S.P.)	7
6. Shri Kali Shankar Bhagat, Owner of Chapandey Stone Mine, P.O. Barharwa (S.P.)	16
7. Shri Dinesh Bharatia, Kalyani Stone Mine, Maharajpur (S.P.)	25
8. M/s. International Overseas Corp., Balbhadr Stone Mines, Mir-achouki, (S.P.)	29

6. That both the management and Quarries Workers' Union Pakur (I.N.T.U.C.) jointly pray to your honour to kindly pass an award on the terms of settlement mentioned above.

Signature of the Representatives of the managements. Signature of the Representatives of the Workmen.

1	2
1. (Md. Khan), Borna Stone, P.O. Barharwa (S.P.)	1. (D. Mishra) General Secretary Quarries Worker's Union (I.N.T.U.C.) Pakur (S.P.)
2. (R.N. Jha) Borna Stone Mine, Vill. Ratanpur, P.O. Barharwa (S.P.)	
3. (Bachaspatti Chaturvedi) for Shri Bindhvani Stone Works, Prop. Bachaspatti, Vill. Jhikitia, P.O. Barharwa (S.P.)	

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 7 of 1981

Employers in relation to the management of Md. Khan and 34 others in the District of Santhal Parganas,

AND

Their workmen represented by Quarry Workers' Union Pakur (I.N.T.U.C.)

The management's Representative and their workmen have arrived at an amicable settlement on the terms of settlement given below :

Terms of Settlement

- That the management given below and the Union representing the workmen have agreed to pay Bonus for the

Sd/-	28-4-1981
4. (R. N. Jha) for Shri Birendra Kumar Singh Bui, Basti Stone Mints. P.O. Barharwa (S.P.)	28-4-1981
Sd/-	28-4-1981
5. (S. Chatterjee) for Shri Santosh Kumar Dokania, Chapandey Stone Mines, At and P.O. Barharwa (S.P.)	28-4-1981
Sd/-	28-4-1981
6. (S. Chatterjee) for Shri Kali Shankar Bhagat, Owner, Chapandey Stone Mine, P.O. Barharwa (S.P.)	28-4-1981
Sd/-	28-4-1981
7. (Dulal Chandra Dey) for Shri Dinesh Bharatia, Kalyani Stone Mine, Maharajpur (S.P.)	28-4-1981
Sd/-	28-4-1981
8. (Nirmal Kishore Saraogi) for International Overseas Corpn., Balbhadri Stone Mincs, Mirjachouki (S.P.)	28-4-1981

BFFORE THE PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL (No. 2) DHANBAD
(Camp at Patna)

Reference No. 7 of 1981

**Employees in relation to the management of Md. Khan
and 34 others in the District of Santhal Parganas,**

AND

Their workmen represented by Quarry Workers' Union
Pakur (I.N.T.U.C.)

The management's Representatives and their workmen have arrived at an amicable settlement on the terms of settlement given below :—

Terms of Settlement

1. That the managements given below and the union representing the workmen have agreed to pay Bonus for the Accounting year 1979 or in 1979-80 @ 10.5% (Ten and half per cent) of the total emoluments earned by the employees.
 2. That the managements agree to pay two months emoluments to their monthly paid staff.
 3. The payment will be made to their employees in presence of the General Secretary/President or their authorised Representatives represented by Quarries Workers' Union (INTUC) Pakur on or before 15-4-1981.
 4. The employers agree to maintain all Registers and Records as per the provisions of the payment of Bonus Act, 1965. The payment of Bonus as per Clauses 1 and 2 shall be inclusive of bonus payable under the provisions of the payment of Bonus Act, 1965 as in force and if any higher bonus is payable to the workmen they shall be entitled for the same.
 5. That the Union|workmen have no more claim than the percentage mentioned in para 1 above at present.

Parties to this Settlement	Serial Number in the Schedule of Reference
1	2
1. Shri Gial Das, Owner, Kakturi Stone Mine, P.O. Bakudih at Pakur.	Sl. No. 8
2. Shri Narsingh Chawda, Patniboma Stone Mine, P.O. Bakudih at Santhal Pargana.	Sl. No. 9
3. Shri Pama Mall, Owner, Tentulia Stone Mine, P.O. Bakudih.	Sl. No. 11
4. Shri Jagumal, Owner, Chapandey Stone Mine, Barharwa (S.B.)	Sl. No. 13

1	2
5. Shri Tikam Das, Owner, Modikola Stone Mine, Barharwa (S.P.)	Sl. No. 14
6. Shri Ghanshyam Das, Owner, Mojikola Badepahal Stone Mine, Barharwa (S.P.)	Sl. Ne. 15
7. Shri Om Prakash, Owner, Modikola Stone Mine, Barharwa (S.P.)	Sl. No. 18
8. Shri B.K. Sarda, Owner, Modikola Stone Mine, Barharwa	Sl. No. 19
9. Shri Namdeo Madhyah, Motiharna Stone Mine, Maharajpur (S.P.)	Sl. No. 20
10. Shri Mahabir Prasad, Chirania Kalyani Stone Mine, Maharajpur	Sl. No. 21
11. Shri Vedanand Pandey, Kalyani Stone Mine, Maharajpur (S.P.)	Sl. No. 24
12. Shri Santosh Kumar Singh, Owner, Kusmadanga Stone Mine Pakuri	Sl. No. 31
13. Shri Sambhu Dey, Owner, Kusmadanga Stone Mine, Kaur	Sl. No. 32
14. Shri Sudarsan Kumar, Lakhmanai, Owner, Gokulpur Stone Mine, Pakuri	Sl. No. 33
15. Shri Hiranand Lakhmani, Owner Gokulpur Stone Mine, P.O. Pakuri (S.P.)	Sl. No. 34

6. That both the management and Quarries workers' Union Pakur (I.N.T.U.C.) jointly pray to your honour to kindly pass an award on the terms of settlement mentioned above.

**Signature of the Representatives of the
managements**

**Signature of the
Representatives of**

Sarwan Kumar
for Jaidas

1. (Sarwan Kumar)
Pakturi Stone Mine,
Bakudih (Sl. No. 8) 1. (D. Mishra)
General Secretary
Quarries workers' Union
(I.N.T.U.C.) Pakur (S.P.)
For Panna Mall

2. (Narsingh Chawda)
Patnibona Stone Mine, Bakudih Sl. No. 9
Shree Bhagwan Singh
for Panna Mall

3. (Bhagwan Singh)
Tentulia Stone Mine, Bakudih Sl. No. 11.
Arun Kumar Ghosh
for Jagumal

4. (Arun Kumar Ghosh)
Chapandey Stone Mine, Barharwa (Sl. No. 13)
Dewo Nand
for Tikandass

5. (Devanand)
Modikola Stone Mine, Barharwa Sl. No. 14.
Subodh Kumar Dubey
for Ghan Shyam Das

6. (Subhod Kumar Dubey)
Modikola Badepahar Stone Mine, Barharwa, Sl. No. 15
Shiv Shanker Lal
for Om Prakash Dokania

7. (Siv Shankar Lal)
Modikola Stone Mine, Barharwa Sl. No. 18
K.C.Karmakar (For M/s B.K. Sarda)
for B. K. Sardc

8. K.C. Karmakar
Modikola Stone, Barharwa (Sl. No. 19)
Samir Kumar Gupta (For Namdeo Mandhyar)
for Namdeo Maudhyan

9. Samir Kumar Gupta
Motiharna Stone Mine, Maharajpur Sl. No. 20
Purusotam Sharma (For Mahabir Pd. Chirania)
for Mahavir Pd. Chirania

10. Pursotam Sharma
Chirania Kalyani Stone Mine, Maharajpur (Sl. No. 21)
Vedanand Pandey

11. Vedanand Pandey
Kalyani Stone Mine, Mahajpur (Sl. No. 24)
Sd/-

12. (Santosh Kumar Singh)
Kusmadanga Stone Mine, Pakur (Sl. N. 31)
Sd/-

13. Sambhu Dey
Kusmadanga Stone Mine, Pakur (Sl. No. 32)
Sd/- (fc) Sadai Shankar Lakhman)

14. (Subhod Kumar Dubey)
Gokulpur Stone Mine, Pakur (Sl. No. 33)
Sd/- (for Hira Nand Lakhman)

15. Dewanand
Gokulpur Stone Mine' Pakur (S.P.), Sl. No. 34

WITNESSES:

1. Shamal Kumar Saha
Bahracwa
Sd/-
2. Tapan Kumar Das (Barharwa)

[No. L 29011/58/80-D.-III-B]
J.P. Singh, Presiding Officer

S.O. 1618.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of M/s. Khandel Ferro Alloys, Kanhan, District Nagpur add their workmen, which was received by the Central Government on 27th March, 1982.

BEFORE JUSTICE SHRI S. R. VYAS (RETD.) PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(3)/1981

PARTIES :

Employers in relation to the Management of M/s. Khandel Ferro Alloys, Kanhan, District Nagpur and their 17 workers mentioned in the Annexure to the Schedule of Reference, represented through Shri N. H. Kumbhare, President, Sidarth Manganese Khandan Kamgar Sangh, Ramtek (Post Office), District Nagpur (M.S.)

APPEARANCES :

For Workmen.—Shri N. H. Kumbhare, Advocate.
For Management.—Shri P. V. Pandit, Advocate.

INDUSTRY : Manganese Mine

DISTRICT: Nagpur
(M. S.)

AWARD

The Central Government in the Ministry of Labour, in exercise of the powers conferred by Clause 10(1)(d) of the Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication, vide Notification No. L-27011/4/80-D.III.B dated 8/13th January, 1981 :—

"Whether the action of the management of M/s. Khandel Ferro Alloys Limited, Khandelwal Nagar, Kanhan is justified in awarding punishment of 10 days suspension to 17 workers of their Junewani Manganese Mines as shown in the annexure attached ? If not, to what relief the concerned workmen are entitled ?"

ANNEXURE 'A'

1. Shri Samundar Sadaram
2. Shri Dhelsingh Ramlal
3. Shri Madansingh S/o Kishorilal
4. Shri Suraj S/o Itwari
5. Shri Mchra S/o Jagdeo
6. Shri Basant Srivatav

7. Shri Antal Pande
8. Shrimati Dwarkabai W/o Antal
9. Smt. Suman W/o Kedu
10. Smt. Chandrakanta W/o Badan
11. Smt. Lahni W/o Mangal
12. Smt. Udkuvar W/o Samud
13. Smt. Khedi W/o Bakhatiya
14. Smt. Kodeyya W/o Sitaram
15. Smt. Dhirja W/o Ghursingh
16. Smt. Bhojbai W/o Girdhar
17. Smt. Tarabai W/o Dashrath.

2. Briefly stated the facts giving rise to this dispute are these. Shri Samundar Sadaram and 16 other workers named in the Annexure A to the Schedule of the order of reference were the employees of the M/s. Khandelwal Ferro Alloys Ltd., P.O. Kanhan Distict Nagpur. All of them were suspended and were served with Chargesheets dated 16-3-1979, as according to the management they were guilty of disorderly behaviour. After the charge-sheets were served replies were submitted by the workmen. As these replies were not to the satisfaction of the management an Enquiry Officer was appointed and separate enquiries were held against each workmen. After the Enquiry Officer submitted his report the management by an order passed on 11-1-1980 awarded the punishment of suspension from 2nd to 11th January 1980. The consequence was that this period of suspension was treated as suspension without pay.

3. The case of the workmen is that there was no enquiry; that the workmen could not understand the nature of the proceedings, if any, conducted by the Enquiry Officer and that they were only informed by the impugned order that a period of 10 days has been treated as a period of suspension without pay as a measure of punishment. The mode and validity of the enquiry has been challenged on a number of grounds i.e., that it was against the principles of natural justice; that no opportunity was given to cross-examine the witnesses; that statements of witnesses were not correctly recorded; that the workmen were not assisted by any co-worker in the enquiry; that there was no opportunity to lead evidence in defence and that necessary documents were not supplied to the workmen.

4. The aforesaid allegations have been denied in toto by the management according to which the enquiries were held strictly in accordance with law and principles of natural justice. It is further contended that full opportunity was given to the workmen to cross-examine the witness during the enquiry and that separate enquiry was held in respect of each workman.

5. On the aforesaid pleadings of the parties the following issues were framed :—

Issues

1. (a) Whether the domestic enquiry held against the 17 workmen of this case were not valid ?
- (b) If so, what is the effect ?

6. The management examined M.W. 1. Shri I. L. Soni, the then Chief Mining Engineer and M.W. 2. Shri I. L. Soni, the Enquiry Officer. The workmen examined W.W. 1. Shri Summond and Shri Dhel Singh W.W. 2 I have considered the oral and documentary evidence given by both the parties. In my opinion, the aforesaid issue deserves to be answered in favour of the management.

Reasons for the Findings :

7. In this case enquiries were held at two places, one by M.W. 1. Shri I. L. Soni and the other also by M.W. 2. Shri I. L. Soni. According to M.W. 1. Shri I. L. Soni, he held the enquiry at Junewani against the workman, Shri Summond. In this enquiry, he initially examined the Mines Manager and statements were recorded at his dictation under the supervision by a clerk. According to him, Ex. M/1 is the statement of Shri Jain and it bears the thumb impression of the workman, signatures of Shri Jain and his own signatures. He also says that he permitted the workman to cross-examine Shri Jain but no question were put by him. Besides Shri Jain Shri Banerji and Shri Kedyal were also examined by

him. During their examinations, the workman was present. He refers to Ex. M/2 and Ex. M/3 as the respective statements of Shri Banerji and Shri Kedyal. Both these witnesses also, according to him, were permitted to be cross-examined by the workman. Lastly, the statement of the workman Shri Samund was recorded which is Ex. M/4. He also examined two witnesses in defence Shri Dhel Singh Ex. M/5 and Shri Bhiku vide Ex. M/6. He says that after holding the enquiry on the charge-sheet Ex. M/7 and considering the workman's reply Ex. M/8, he gave his report Ex. M/10 to the management.

9. It was suggested to him in his cross-examination that the workman sought time to be assisted by another person but he stated that neither any opportunity was sought nor denied by him. As regards the opportunity to cross-examine the witness, he has stated that full opportunity was given to the workman to cross-examine the management's witnesses. It was then suggested to him that though the enquiry, which he claimed to have conducted himself, was in fact held by one Krishna Kumar. The suggestion was categorically denied. Another suggestion was that statements of the witnesses were recorded in the absence of the workman but it was also denied.

9. M.W. 2, Shri I. L. Soni, the Enquiry Officer for the workman Shri Dhel Singh, stated that statements of the witnesses were recorded in Hindi under his supervision; that Exts. M/13, M/14 and M/15 are the statements respectively of Shri Jain, Shri Banerji and Shri Kedyal and that all the statements were recorded in the presence of the workman, Shri Dhel Singh. He has further stated that the workman, Shri Dhel Singh, did not seek time to examine any witnesses in defence. Ex. M/17, according to him, is the enquiry report given by him. In his cross-examination, it was suggested that the enquiry was held by one Krishna Kumar and not by him. Another suggestion was that as the workman was illiterate he did not understand the nature of the proceedings and that he should have been assisted by some other co-worker. The witness has, howvr, stated that neither such requests were made nor denied by him.

10. As against the aforesaid evidence the two workmen W.W. 1, Shri Samund and W.W. 2 Shri Dhel Singh have also been examined. In his statement the workman W.W. 1 has stated that he was asked to attend the Manager's Office where he found Shri Soni, Shri Goyal and Shri Banerji and he was asked whether he made any assault as alleged in the charge-sheet. According to him, his statement was recorded by Shri Goyal and thereafter he left and no witness for the management was examined in his presence. He also says that he made specific request for being assisted by the Union representative, that the Enquiry Officer, Shri Goyal refused that permission.

11. On being cross-examined by the management's Counsel he says that even before his statement was recorded, he was asked to put his thumb impression to which he refused. He also denied that any other witness was examined and statements were recorded in his presence. He admits that no written request was made to the Enquiry Officer for being assisted with a co-worker in the enquiry. The second worker, W.W.2, Shri Dhel Singh, says that the charge sheet was served on him; he attended the office where the enquiry was held and found that S/Shri K. K. Saheb, Banerji and Kedyal and one more person were present. Therefore he was asked if he had participated in the assault. He denied the allegations and went away. He admits in his cross-examination that he did not even reply to the charge-sheet nor the reply sought from him did bear his thumb impressions. He also denied that any witness was examined in his presence or that his statement was read over and explained to him.

12. It would thus appear that so far as the management is concerned, the evidence of the Enquiry Officer, M.W. 1, Shri I. L. Soni, shows that the enquiry was held in accordance with the principles of natural justice, replies to the charge-sheet were given by the workmen, witnesses were examined in their presence, they were given opportunity to cross-examine management's witnesses and an opportunity was also given to examine witnesses in defence. The management has produced the records of all the 17 individual employees in this case. As regards the two workmen evidence has been given by the management's witnesses regarding the mode in which the enquiries were conducted. Both the workmen

admit that they were called for an enquiry to be held. There is nothing on record of the enquiry proceedings to show that any request was made by the workmen either for being assisted by some other workmen or for time being given to examine witnesses in defence. The record of the enquiry, however, completely negatives the entire set of allegations made by the workmen against the mode of enquiry. Statements of witnesses were recorded in the individual enquiry held against each workman.

13. In all the enquiries the workmen were intimated of the time and place of enquiry. They submitted their replies also. Accordingly, in my opinion, there is nothing in the mode of enquiry which can be said to have been committed in violation of principles of natural justice. If the workmen had the opportunity to submit their replies; hear the evidence of the management's witnesses, had opportunities to cross-examine the witnesses; also had an opportunity to lead evidence in defence, then it cannot be said that any principles of natural justice or rule of law was violated. I am, therefore, clearly of the view that in this case there is nothing which can be urged on behalf of the workmen about the legality and/or validity against the enquiry held against them.

14. According to the findings of the Enquiry Officer all the 17 workmen on 11th March, 1979 had assembled outside the office of Shri S. K. Jain, Mines Manager when he asked them as to what was the purpose of their assembling there. He was surrounded by all of them and was told as to why they were marked absent. He then replied that it was not he who marked their absence or attendance, but the workmen started behaving in an disorderly manner and abused him also in spite of being told by Shri Kedyal to behave properly. The witness Shri Jain then apprehending assault at the hands of the workmen went in an inner room and closed the door from the side. Even thereafter when he opened the doors some of the workmen instigated the rest to assault him. Statement of Shri Jain is similar in all the enquiries and his statement even finds support from the statements given by Shri Banerji and Shri Kedyal. All these three witnesses have specifically named all the workmen in the individual enquiries held against them. The evidence of the aforesaid three witnesses has been held as worthy of reliance by the Enquiry Officer. The Chief Executive of the Mines considered the report of the Enquiry Officer along with the evidence recorded before the Enquiry Officer and came to the conclusion that the workmen were guilty of the charges framed against them. The evidence of the witnesses shows that a number of workers viz. the 17 workmen concerned in this case had gone to the Mines Manager, Shri S. K. Jain virtually the workmen persisted in not only assembling in the office of the Mines Manager but threatened him with assault in abusive language. Such a conduct on the part of the workmen cannot be said to be complementary. The Enquiry Officer was therefore justified in holding them guilty of behaving in an disorderly manner. For such an act only a punishment of 10 days wages has been awarded which is in my opinion is quite proportionate to the gravity of the charges. In my opinion, therefore, the workmen are not entitled to any relief in this case.

15. Accordingly for the reasons given above I hold that the management of M/s. Khandelwal Ferro Alloys Limited, Khandelwal Nagar, Kanhan, District Nagpur was justified in awarding the punishment of suspension to the workmen. The workmen, therefore, are not entitled to any relief in this case. In the circumstances of the case, both the parties are directed to bear their own costs as incurred.

Dated : March 22, 1982.

S. R. VYAS, Presiding Officer
[No. L-27011/4/80-D.IILB]

New Delhi, the 13th April, 1982

8.O. 1619.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Dhanbad in the industrial dispute between the employers in relation to the management of M/s. Karanja Mahuldiha White Clay Mines of M/s. Har-Karandas Mangilal and their workmen, which was received by the Central Government on 30th March, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) DHANBAD

Reference No. 9 of 1980

In the matter of an industrial dispute under S. 10(1)(d) of the I. D. Act, 1947

PARTIES :

Employers in relation to the management of Karanja Mahuldiha White Clay Mines of M/s. Harkarandas Mangilal and their workmen.

APPEARANCES :

On behalf of the employers—Shri U. S. Jayswal, Administrative Officer.

On behalf of the workmen—Shri Mukund Ram Tanti, President, Singhbhum Sadra Mitti Khan Avom Sam-bondit Udyog Mazdoor Sangh, Singhbhum.

**STATE : Bihar INDUSTRY : White Clay Mines
Dhanbad, 24th March, 1982**

AWARD

This is a reference under S. 10 of the I.D. Act, 1947. The Central Government by its order No. L-29011/3/80-D. III(B) dated the 28th June, 1980 has referred this dispute to this Tribunal for adjudication on the following terms :—

SCHEDULE

"Whether the management of M/s. Harkarandas Mangilal relating to Karanja Mahuldiha White Clay Mines is justified in dismissing Lakshmi Urmakuri, Soito Moitri, Pani Bhaji, Turi Gagrai, Jano Gagrai, Lachmi Hessa, Sombari Bhoitsa, Jaimoni Bagh, Ishingi Hessa (female mazdoors) Govind Gagrai, Lusa Dumur, Sukra Urmakuri (male mazdoors) with effect from 15-1-78 ? If not, to what relief the aforesaid workmen are entitled ?"

2. A preliminary point had been raised by the management to ascertain whether the domestic enquiry leading to the dismissal of the concerned workmen was fair and proper. After hearing both the parties this court came to the conclusion that the domestic enquiry was fair and proper. A separate order to this effect dated 5-11-81 is on the record giving detailed reasons for holding the domestic enquiry to be fair and proper. We are now to consider as to whether the dismissal order passed by the management is justified.

3. The subject-matter covered by the chargesheets is based on an occurrence which took place on 29-12-77 at about 2.30 P.M. It was a weekly payment day and about 200 workmen had gathered at the centre of the manager's office for collection their wages. The workers felt that there was deduction in their wages and they raised a hue and cry. According to the management the payment was to the extent of work done by the workers which was less than full time work. The chargesheets show that these concerned workmen incited the other workers for riotous behaviour. They shouted abusive slogans against the management, tried to break the office furniture and pelted stone and damaged property of the office. They even threw furniture at the body of the manager. In order to pacify the angry crowd of workers the manager was forced to order full payment. The management, however, proceeded to frame charges against the active participants in this occurrence.

4. The enquiry was conducted by Shri M. N. Prasad, Personnel Officer. The charge sheets are 12 in numbers and are Exts. M-1/M-1/11, all signed by Shri M. L. Goel, manager of White Clay Mines. The reply of the workers to the chargesheets are Exts. M-3 to M-3/11. The enquiry was held for the whole day. The proceeding recorded by the enquiry officer is in 27 pages and marked Ext. M-4. These includes statement of witnesses, the statement of defence witnesses and the statement of the concerned workmen. On consideration of the evidence recorded by him, the enquiry officer prepared his report, Ext. M-5 which was handed over to the management for consideration. According to him the charges have been proved. The management on consideration of the evidence and report of the enquiry

officer dismissed the concerned workmen. Separate dismissal orders were passed and they were all signed by the Chief Mining Engineer Shri C. B. B. Srivastava. These orders are Exts. M-6 to M-6/11. Dismissal orders were served on the concerned workmen for which they granted receipt, marked Ext. M-7.

5. Shri Mukund Ram Tanti, President of the Union representing the concerned workmen has generally argued that these concerned workmen are illiterate and therefore they had no clear idea as to what should be done at the departmental enquiry, and in this view of the matter they have been denied natural justice. At the time of hearing of the preliminary point Shri Tanti had practically conceded that the procedure adopted by the enquiry officer is without blemish. Shri Tanti has further said that the defence witnesses were called at the instance of the management and so opportunity was denied to the concerned workmen to adduce defence witnesses. In this connection Shri Tanti had wanted time to examine these witnesses in court at the time of preliminary hearing, but he did not produce any of them. Shri Tanti cannot, therefore, raise this point at this stage. I have mentioned in my earlier order that the defence witnesses disclaim any knowledge of this occurrence

6. So far as this occurrence is concerned, the facts as alleged by the management is to a large extent admitted in the written statement of the union representing the workmen. It is an admitted position that on 29-12-77 at about 2.30 P.M. about 200 persons including the concerned workmen had gone to collect their wages in the office of the manager. It is an admitted position that the workers were agitated over payment of lesser amount than what they were expected to get. It is not for this court to go into the question as to whether the management was justified or unjustified in making payment which was less than the expected weekly payment. The management's case is that the workers had put in lesser hours of work for which deduction was justified. Shri Tanti has argued that the deduction could be done only according to Minimum Wages Act which does not justify deduction of time as done by the manager. Since the charge is not based on the propriety of deduction, we have no need to go into the question. Even supposing that the deduction was unjustified, this could not be a good ground for the workers to indulge into riotous behaviour, to assault the manager and to damage the property of the office. It is a fact that the manager was forced to make full payment. He also reported the matter to the police. For the purpose of this reference we have to go into the question as to whether the charges have been proved. For this purpose we have to go into the evidence of witnesses examined by the enquiry officer.

7. The first witness of the management is Shri Maya Sankar Pandey. He is a clerk attached to the office of the manager. He has said that the workers at about 2.30 P.M. on 29-12-77 came to the office of the manager and demanded to know as to why lesser payment was made. He has named some of the workers who entered the office of the manager and they wanted to assault the manager by lifting the chair. The witness intervened and saved the manager. The manager told them that they had been paid according to the work done by them. But the workers were not satisfied and demanded full payment. The workers, who were outside, pelted stones at the office. Fearing danger of life the manager ordered full payment. The concerned workmen did not ask any question in cross-examination.

8. The next witness is Shri Dayanand Mishra, who is a supervisor in that mine. He has said about the incident on 24-12-77. At about 9 A.M. on that day he had gone for checking and had not found Smt. Soito Moitri at work. She reported for work again at 2 P.M. Smt. Soito Moitri apologised and therefore no action was taken by the witness. His evidence is that on 29-12-77 at about 2.30 P.M. he had gone to the office of the manager where he was surrounded by 15 workers who alleged that the witness had got cut in their wages. He explained to them that they have been paid according to the work. Thereafter Smt. Soito Moitri assaulted him on his back with fist and he was assaulted on his leg with danta. The witness escaped, but he found that the workers were pelting stone at the office of the manager. This witness was also not cross-examined by the concerned workmen.

9. The 3rd witness is Shri Sitaram Yadav, a chowkidar attached to the office of the manager. He has corroborated the evidence of the two earlier witnesses. He has also tried to save the manager from the workers. There is nothing substantial in the cross-examination to disbelieve this witness.

10. The other witness is Mukra Gope who is an attendance clerk. He has given the details of the occurrence as deposed by other witnesses. He was not cross-examined. The last witness Jamadar Gobra has not supported the case of the management because according to him he came to the office on 29-12-77 at 4 P.M. and had not seen the occurrence at 2.30 P.M.

11. From the above evidence it will be clear that the concerned workmen indulged into riotous behaviour. They abused the manager and the supervisor for making cut in their wages. They further entered into the office of the manager and attempted to assault the manager, and but for the timely help rendered by the office staff the manager would have been very badly assaulted. The supervisor similarly was assaulted by these persons and he managed to escape in order to save his life. It is an admitted position that the manager was forced to make full payment in order to avoid further damage. It has been contended on behalf of the management that the evidence is good enough to come to a conclusion that if these concerned workmen were not pacified by manager by making full payment, he should have lost his life. The management was bound to take a serious view of the circumstances and therefore a report was made to the police about this occurrence. Besides initiating a departmental proceeding against the concerned workmen. I have gone through the report of the enquiry officer and I think that all relevant materials have been fully discussed by him. The report was considered by the management before passing an order of dismissal. It is relevant to consider as to whether the concerned workmen are entitled to a lesser punishment vested of dismissal. Some of the concerned workmen are female workers and Shri Tanti has advocated for a lenient view in their matter. On behalf of the management it has been contended that these female workers were actively participating in this occurrence, and not only the manager but the supervisor also was assaulted by them. This appears to be true on the basis of the evidence on record. Suffice it to say that if a lenient view is taken in the matter of punishment it will encourage unruly and riotous behaviour and no industry can smoothly run. I am, therefore, not in a mind to take a lenient view in the matter. I find that the management was justified in inflicting the punishment of dismissal.

12. Thus, considering all aspects of the matter, I hold that the management of M/s. Harkandas Mangilal relating to Karanji Mahuldiha White Clay Mines is justified in dismissing Lakshmi Urmakuri, Soito Moitri, Panl Bhaji, Turi Gagrai, Jano Gagrai, Iachami Hessa, Sombari Bhoitsa, Jaimoni Bagh, Jano Gagrai, Iachami Hessa, Sombari Bhoitsa, Jaimoni Bagh Sukra Urmakurmi (male mazdoors) with effect from 15-1-78. Consequently, the above concerned workmen are entitled to no relief.

This is my award.

J. P. SINGH, Presiding Officer
[No. L-29011/3/80-D.III.B]
R. P. NARULA, Dy. Secy.

आदेश

नई दिल्ली, 17 मार्च, 1982

का० आ० 1620.—केन्द्रीय सरकार की पह राय है कि इसमें उपावड़ अनुसूची में विनिर्दिष्ट विषय के बारे में मैसर्स उल्लू० सी० ए८० अजराजनगर ईव वैली क्षेत्र के प्रबंधतंद में सम्बद्ध एक श्रीयोगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए विदेशी कर्ता वांछतीय समझती है;

अतः, केन्द्रीय सरकार, श्रीयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक श्रीयोगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री जे० एम० महापात्र होंगे, जिसका मुख्यालय भुवनेश्वर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायानिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या ईव रीवर कोयलाखान के श्रेणी-II के लिपिक, श्री आर० छी० सिह, की लिपिक श्रणी-I में प्रोफ्रेशन को रोकना न्यायोचित है? यदि नहीं, तो कर्मकार किस अनुतोष का हक्कार है?

[सं० ए८०-18012/16/81-डी० 4-बी]

एस० एस० मेहता, डैस्क अधिकारी

ORDER

New Delhi, the 14th April, 1982

S.O. 1620.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Ib. Valley Area, M/s. WCL Brajrajnagar, and their workmen in respect of the matter specified in the schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri J. M. Mohapatra, shall be the Presiding Officer, with headquarters at Bhubaneswar and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the withholding of promotion of Shri R. D. Singh Clerk Grade-II of Ib. River Colliery to Clerk Grade-I is justified? If not, to what relief he is entitled?”

[No. L-18012(16)/81-D.IV(B)]

S. S. MEHTA, Desk Officer

New Delhi, the 15 April, 1982

S.O. 1621.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Arbitrator Bombay in the industrial dispute between the employers in relation to the Khadi and Village Industries Commission; Bombay and their workmen, which was received by the Central Government on the 30-3-1982.

BEFORE SHRI V. N. KHOLKUTE, CHIEF INSPECTOR OF FACTORIES, GOVERNMENT OF MAHARASHTRA AND ARBITRATOR, BOMBAY.

Reference No. 2880 of 1981

In the matter of Industrial Dispute between the Management of Khadi and Village Industrial Commission, Bombay and their workman Shri J. Y. Godbole relating to his termination of services, reappointment, consequential reliefs etc.

APPEARANCES :

On behalf of Employers

Shri J. C. Shah Deputy Director, Khadi & Village Industries Commission.

On behalf of Workman

Shri J. Y. Godbole.

AWARD

An Industrial Dispute existed between the employers in relation to the Khadi and Village Industries Commission, Bombay and their workman Shri J. Y. Godbole. The Employers and their workman have by a written agreement dated 26-8-1981 under Sub-Section (i) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947) agreed to refer the said dispute to arbitration and have forwarded to the Central Government a copy of the said agreement. The Government of India, Ministry of Labour issued a notification vide its order No. L. 42013(1)/81-DIL B, dated 25th September, 1981 published in the Gazette of India Part II, Section 3(ii) dated 17th October 1981 under S. O. 2880.

2. On 17th October 1981 the employers and the workman were requested to send their written statements on the dispute in question within 15 days. Both of them were instructed to send simultaneously the copies to the opposite parties.

2.1 Shri J. C. Shah, Deputy Director, Khadi and Village Industries Commission, Bombay representing the employers (hereinafter referred to as the employers), sent his written statement dated 4th November 1981.

2.2 Shri J. Y. Godbole aggrieved workman sent his written statement dated 30th November 1981.

2.3 The employers filed a rejoinder dated 24th December 1981 giving parawise comments to the written statement of the workman dated 30-11-1981.

2.4 Thereafter, both the parties were instructed to give a list of witnesses if they wanted to adduce any oral evidence. Accordingly on 5th January, 1982 both the parties gave lists of their witnesses. The employers cited one Shri G. P. Dakshin, ex-Superintendent, Khadi and Village Industries Commission as their witness while the workman cited two witnesses viz. (i) Mrs. K. M. Gokhale, U. D. C. Typist, Khadi and Village Industries Commission, Bombay and (ii) Shri D. V. Lele, the then member i/c Khadi Section, All India Khadi and Village Industries Board, Wardha.

2.5 On 12-1-1982 oral evidence of Shri G. P. Dakshin and Smt. K. M. Gokhale was recorded. While Shri Lele's evidence was recorded on 21-1-1982. As mutually agreed by the parties the evidence was recorded in question and answer form.

2.6 Both the parties were requested to file the documents, if any, provided they want to corroborate their say regarding the matter in dispute. The parties were also requested to put forward their arguments. The employers submitted written arguments vide letter dated 10-2-1982. While the workman argued the matter orally on 23-2-1982 in presence of the Deputy Director representing employers. The copies of a few documents were filed by both the parties on 23-2-1982.

2.7 After the oral evidence was recorded, the copies of the statements of witnesses were supplied to both the parties to enable them to prepare the arguments.

3. The first point as preliminary objection raised on behalf of the employers in letter dated 4-11-1981 is that the dispute raised by Shri Godbole after 25 years suffers from the doctrine of laches and therefore is not maintainable, and therefore requested to dismiss this case in limini. If the contention of the employers is accepted then I need not examine any other issue. No doubt, the dispute is precipitated after about 25 years although it seems that the workman was agitating from 1964. The employers have agreed to refer the dispute on 26-8-1981 to the arbitrator and has thus given up their right to raise the preliminary objection on the ground of laches. There is no limitation laid down under the Industrial Disputes Act, 1947 for raising any dispute. As the employers have agreed to refer the matter to the arbitrator they cannot take the plea of doctrine of laches and hence the employers' request to dismiss the case in limini cannot be accepted.

4. Now I shall deal with the specific matters in dispute :

- The Arbitrator shall examine the circumstances leading to the termination of services of Shri J. Y. Godbole with effect from April 1955, and his reappointment in the Firstwhile Board with effect from 18th June 1965, and decide if the termination of service is maintainable.

The facts in brief as came on record through documents and oral evidence are as under :

4.1 Shri Godbole was appointed as Stenographer (Hindi) in the office of the All India Khadi and Village Industries Board, Bombay, on 8th March 1954, vide appointment letter dated 21-5-1954. As Hindi Stenographer Shri Godbole (hereinafter referred to as the "Workman") was taking dictation from Shri D. V. Lele, Member in charge Khadi Section all India Khadi and Village Industries Board. Shri Lele used to take the workman on tour for official work.

4.2 In the last week of November 1954, there was a conference of representatives of State Board's and Governments. Shri Chari incharge of Typing Pool from the office of the Khadi and Village Industries Board, Bombay, instructed the workman that he would be required to go to Poona for the conference. The workman has stated in his written statement dated 30-11-1981 that he requested Shri Chari to inform his inability to office secretary on health grounds for going to Poona. The workman further states that Shri Chari might have intimated the workman's inability of going to Poona to Shri D. V. Lele the Member incharge Khadi Section. The workman further states that on learning about his ill health from Shri Chari, Shri Lele advised the workman to accompany him to Poona and assured that the workman would not be required to attend to any other work except preparing the replies to the letters received by him (Shri Lele) during his stay at Poona. The workman expressed his apprehension to Shri Lele that he would be given some work pertaining to the conference at Poona and he may not be in a position to do the same considering the nature of his illhealth. However, Shri Lele assured him and desired that the workman should accompany him to Poona. The workman further instructed office to depute one Hindi Typist to typ the notes taken by the workman. The workman further states that Shri Lele made this arrangement to reduce the strain on his work. Accordingly, one Kumari V. V. Ranade (Smt. K. M. Gokhale) he Hindi Typist was deputed to Poona.

4.3 After reaching Poona, the workman used to take down notes from Shri Lele and Kumari Ranade used to do the typing work of the notes taken by the workman.

4.4 At Poona, the workman contends (in his written statement) that he had no idea that he would be required to take down verbatim report. At the time of conference, the workman was instructed to take a verbatim report of the speech delivered by late Shri B. G. Kher. The workman started taking notes of the speech but being heavy work, after 2 to 3 minutes there was severe pain and he would not continue the work.

4.5 After coming to Bombay the Office Secretary asked the workman's explanation vide a memo dated 27-11-1954. The memo dated 27-11-1954, is reproduced below :

"Shri Godbole, the Hindi Shorthand Typist has not kept proper notes and he refused to come for reporting on the proceedings of the conference when called both by the Chairman and myself on the plea that he was suffering from rheumatism. I do not think that slight rheumatism will render a man unable to take down notes. However, I feel that Shri Godbole has disregarded his duty and made the position of the Chairman and the Member Secretary very embarrassing in not taking down the notes which amounts to insubordination."

Shri Godbole should immediately submit his explanation.

4.6 The workman gave a written explanation on 1-12-1954. His explanation is in Hindi. His explanation, he has stated as under :

"In response to the explanation, I want to state that due to physical disability, I could not do the office work and inconvenience was caused for which I may be excused. Five or six days before conference, Shri Chari, has submitted a report of my physical disability to you. However, when Shri Leleji told me to accompany him for his own work (in that condition his work was not hard one) to Poona. I had told him that I would not be able to do the work of conference there. There were pains in my right hand and the neck, and hence whatever work I

could. I would do. Shri Lele has assured me that I would not be required to do the work at conference. However, unfortunately, I was told to take down the notes when Shri B. G. Kher started delivering a lecture. In spite of my inability, I started the work for but I could not do it for more than 2 to 3 minutes, due my inability, I could not carry the work but there was no disobedience or insubordination.'

4.7 On 17-3-1955, the office secretary informed the workman that the explanation offered by him in connection with his inability to take shorthand report and notes of Hindi proceedings of the Poona conference in November 1954 was not found satisfactory. In the said memo the office secretary informed the workman that any further dereliction of duty will lead to termination of his services.

4.8 On behalf of the employers it is stated in the written statement dated 4-11-1981 that the Commission has no original papers in this regard at such a late stage and the commission has to rely on the copies supplied by Shri Godbole.

4.9 The workman has narrated about the Poona incident in paras 6 to 14 of his written statement dated 30-11-1981. He has enclosed true copies of the memo dated 27-11-1954 asking his explanation, he has also enclosed a true copy of the explanation dated 1-12-1964 offered by him in response to the memo dated 27-11-1954 and the final warning letter dated 17-3-1955.

4.10 The employers have given a rejoinder dated 24-12-1981 offering parawise comments to the written statement of the workman. In this rejoinder, any factual information regarding the incidence is not given, but the contentions of the workman are denied by way of arguments. For example it is stated that if Shri Godbole was really weak he should have produced medical certificate to that effect or taken leave. It is further stated that if Shri Godbole could take dictation from Shri Lele he could as well go to Poona for the work relating to the conference. It is further stated that the statement made by Shri Godbole that Shri Lele, member instructed office to depute one Hindi Typist to type the notes taken by Shri Godbole and accordingly Kumari V. N. Ranade was sent to type the notes taken by Shri Godbole is unsounded when Shri Godbole was a stenographer. A typist cannot decipher and type notes of a stenographer. It is further stated that if the workman was really weak instead of undertaking the work as stated by him, he should have represented to office to make an alternative arrangements.

4.11 In short, in rejoinder dated 24-12-1981, the employers have put forth arguments stating parawise how the contentions of the workman are not correct. As stated above, the factual position of the Poona incident, is not stated by the employer. The employer has no original papers about the Poona incident and therefore, we have to find out the truth from the evidence of the witnesses and the copies of documents filed before the Arbitrator.

4.12 Kumari Ranade, Hindi Typist had accompanied the workman to Poona in November 1954 at the time of conference. Similarly Shri D. V. Lele a member incharge Khadi Section went to Poona in November 1954. The evidence of both the persons have been recorded before me.

4.13 Kumari Ranade (now Smt. K. N. Gokhale) stated that she went to Poona in November 1954 for doing Hindi typing work. She was doing typing work at Poona of the dictation taken by Shri Godbole. Shri Lele member incharge of Khadi had directed her to type down the notes of Shri Godbole as he had some muscular pain in his right arm. She has further stated that Shri Godbole was reading the notes and she was typing the same. She was not given any other work in addition to typing of the notes of Shri Godbole in Poona. While replying to the questions by Shri J. C. Shah in cross examination, She stated that she learnt that Shri Godbole was suffering from slight rheumathical pain whtn Shri Lele asked her to go to Poona for typing. She further replied that Shri Godbole took dictation from Shri Lele at Poona she required five to six hours for typing. She further told that she did not know the time involved in the dictation but it took her 5 to 6 hours for typing.

4.14 Shri D. V. Lele, the then member incharge Khadi Section states that Shri Godbole was accompanying him on tour. He was informing the office orally when he wanted

Shri Godbole to accompany him on tour. In November, 1954, he attended the conference held at Poona and he took Shri Godbole with him to Poona to dispose of his work of correspondence, notes and articles as he thought he would have sufficient time for him. Shri Lele further stated that normally a stenographer is expected to take dictation and to type it himself but at Poona the conference was for 3 to 4 days. He wanted to dispose the lot of work. Therefore he took Shri Godbole with him even though, he was reluctant to come because he said he was having some pain in the arm and therefore he would not be able to do the job of Steno. Even then Shri Lele assured him that he would be given only the dictation and that will be typed by the typist as taking dictation, is easy.

4.15 In cross-examination Shri Lele was asked that when Shri Godbole had pain in arm and even then he was taken to Poona in November 1954 for taking down dictation only whether it meant that the workman could take dictation from Lele and not from others when directed by member secretary or chairman. Shri Lele replied that workman could have taken dictation but the same sympathetic attitude with which he took him to Poona might not have been there. Shri Lele was further shown an extract from member secretary's note dated 26-11-1954 and was asked whether Shri Godbole's refusal to come for reporting and making the position of the Chairman and Member Secretary embarrassing would amount to insubordination. Shri Lele replied that if he has refused work, it would amount to insubordination but Shri Lele did not know what transpired between Shri Pranlalbhai and Shri Godbole.

4.16 From the above oral evidence, and the documents filed before me it appears that Shri Godbole had some pain in his arm and therefore he declined to go to Poona but when Shri Lele insisted he accompanied him to Poona. Normally a stenographer takes the dictation and he himself types it but for the Poona conference Kumari Ranade, Hindi Typist was instructed to go to Poona and to type out the notes taken by Shri Lele. Shri Lele has stated in his deposition that he would get ample time to dispose of his correspondence, notes and articles and therefore he wanted Shri Godbole to accompany him to Poona. Kumari Ranade has stated in her deposition that she was doing the typing work of the dictation taken by Shri Godbole, and did not do any other work. She has further stated that the work which she typed was the notes taken by Shri Godbole from Shri Lele. Shri Lele has stated in his deposition that the workman had qualities like ability, sincerity and confidence.

4.17 In the rejoinder dated 24-12-1981, employers have urged that had the workman been really ill, he would have told Shri Chari incharge of typing pool to make some alternative arrangements for going to Poona, and therefore the contentions of the workman that he was ill is unfounded and without any substance. From the evidence it is seen that normally a stenographer takes the notes and he himself does the typing. The workman used to accompany on tour with Shri Lele member incharge Khadi. But for the conference at Poona Smt. Gokhale was directed to do the typing work. This was a departure from normal practice and therefore, it appears that Kum. Ranade was instructed to go to Poona, at the time of conference in November 1954. It has come on record that Shri Lele could not have ordered directly any workman to accompany him for tour. Shri Lele used to inform the office orally and in turn the office used to instruct the workman concerned to accompany the member on tour. Obviously Kum. Ranade was instructed by office to go to Poona for doing typing work in Hindi in addition to the stenographer. Therefore, it cannot be accepted that the workman did not tell the office about his ill-health particularly when the office had made some additional arrangements.

4.18 It is further contended by the employers that the workman did not produce any medical certificate for his ill-health. It must be remembered that at the time of incidence, this was a government department. When the officer suspects that any employee is avoiding work on the ground of health, he can direct the employee to appear before a government doctor, Civil Surgeon or a medical board as the case may be. It has not come on record whether the workman was directed to appear before any medical authority. Therefore, non production of a medical certificate can not be attributed as a false excuse of ill-health.

4.19 It is a personal opinion, of the office secretary that slight rheumatism will not render a man unable to take down

notes. This is the opinion of the member secretary as appears from the office secretary memo dated 27-11-1954. The degree of illness making a man rendering him unable to do the work would be better judged by a medical man in a proper way.

4.20 Under the circumstances, it cannot be said that the workman had avoided the work. It cannot be conclusively said that the workman has committed a misconduct or dereliction of duties. If any doubt, arises the benefit must go to the workman.

4.21 Had office secretary instituted an enquiry in the alleged misconduct of insubordination (as stated in memo dated 27-11-1954) and dereliction of duty (as stated in memo of 17-3-1955) more light would have been thrown on the incidence but this was not done and therefore it is unsafe to come to the conclusion that workman was guilty of official misconduct of insubordination and dereliction of duty.

4.22 Regarding the second incident it is of 26-4-1955 :-

According to the workman's written statement dated 30-11-1981, Kumari Ranade, Hindi Typist was given certain work of Hindi Typing at about 2.30 p.m. on 26-4-1955 when she expressed the same work of very urgent nature the workman volunteered to help her as he had no work on his table. He had no idea regarding the nature of work and the duration within which it was to be completed. He along-with Kum. Ranade could complete about half of the manuscript upto 5.30 p.m. when one Shri Chinchlikar who brought the work came and enquired as to when the remaining work could be complete. When Shri Chinchlikar was told that it would take nearly 3 hours to complete typing of the remaining manuscript, he asked the workman and Miss. Ranade to hand over the typed papers and the manuscript as Shri Chinchlikar wanted to leave Bombay the same evening for Poona. Accordingly the papers were handed over to Shri Chinchlikar and the workman and Miss. Ranade left office at 5.35 p.m. after intimating Shri Dharampuria.

4.23 On 27-4-1955 when the workman attended office, Shri Chari asked him to explain as to why they (the workman and Kum. Ranade) left office without completing the work entrusted to them on 26-4-1955. He gave an explanation immediately to Shri Chari in writing who was incharge of typing pool. The original explanation is in Hindi. In this explanation to Shri Chari, the workman has stated that "he was working upto 5.30 p.m. on the previous day. Thereafter, Shri Chinchlikar came and asked whether the work would be completed within one or two hours. As half of the work, was to be completed I told it was impossible to be completed within two hours. Thereafter, he took back the manuscript as he wanted the same. Hence myself and Kum. Ranade after informing Shri Dharampuria went home."

4.24 On 27-4-1955, in the afternoon the office secretary called the workman and Kum. Ranade and told to leave office. The office secretary further told that the workman and Kum. Ranade should not come to the office until further orders. These oral orders, were confirmed by written memo No. ADM/EST/63, dated 27-4-1955. This Memo dated 27-4-1955 was sent to the workman on his residential address. This memo dated 27-4-1955 reads as under :

"Shri J. Y. Godbole, Stenographer, is hereby informed that he should not come to office until further orders."

4.25 On 7-5-1955, the workman addressed a letter giving a reference to the order of office secretary dated 27-4-1955 stating that the order in question was incomplete and vague and he took it as an insult. The workman in this letter dated 7-5-1955 has stated that under those peculiar circumstances and in view of the order in question, as a protest he tendered his resignation with effect from 7-6-1955 with due notice of one month. He further has requested to accept the resignation and to intimate him about the result thereto

4.26 The office secretary vide his letter dated 11-5-1955, informed the workman that his resignation dated 7-5-1955 was considered. He was further informed that the workman was guilty of gross dereliction of duty at the time of Poona conference in November 1954. He was further informed that the workman was again guilty of a gross dereliction of duty when he was asked to prepare certain material for the boards sub-committee's meeting at Poona on 27-4-1955 which he failed to do. The workman was further informed that his explanation was quite unsatisfactory and having these established, he is unfit to be retained in service and that his service

should be terminated with effect from 27-4-1955. The Secretary further stated in memo that the Board will be prepared to consider a request from the workman to be permitted to resign from the Board's service effective from that date and would not insist on a month's Notice by him. He further directed to intimate to the office before 18-5-1955 which course he would prefer.

4.27 The workman sent a reply vide his letter dated 23rd May, 1955 stating that he had given explanation about his physical inability in a letter dated 1-12-1954. He has further stated that enquiry be made from Shri Leleji about the workman's inability, as Shri Lele and the workman were being treated at the same place and at one time the workman became unconscious. He further reiterated that he did not intentionally avoid the work but it was due to his ill-health. In the same memo he has stated that has Shri Chinchlikar had collected the manuscript, there was no work and hence he went home. Thereafter, the office secretary vide his memo dated 30-5-1955 informed the workman that his service has been terminated with effect from 27-4-1955 in continuation of the earlier memo dated 11-5-1955. The workman was further informed that a month's salary in view of one month's notice would be paid to him. Thereafter he made an appeal to the Chairman on 29-6-1955 and the office secretary informed the workman that the chairman saw no reason to reconsider the decision already conveyed to him vide office letter dated 30-5-1955. The workman has stated that above facts, in his written statement dated 30-11-1981 in paragraph No. 15 to 24.

4.28 On behalf of employers in letter dated 4-11-1981 it was stated that the workman was given opportunity to explain his conduct before his services were terminated. The principle of natural justice were thus, as required, followed in imposing the penalty. The employers therefore contend that the termination of Shri Godbole's services was valid and maintainable.

4.29 The employer in his re-joinder dated 24-12-1981, has given parawise comments to the written statement of the workman dated 30-11-1981. It is contended by the employers that had the typing work of 26-4-1955 been of Kum. Ranade alone Shri Chari could have called for the explanation of Kum. Ranade and Shri Godbole had no reason to submit his explanation. He could have simply replied to Shri Chari incharge of typing pool that he was not assigned any typing work. In his parawise explanation, the employers have put the arguments to which I shall make a reference at a later stage. It is stated by the employers while offering comments on para 16 of the workman's written statement that Shri Godbole has conveniently omitted to annex the memo issued by Shri Chari to him calling for his explanation on 27-4-1955 as stated by Shri Godbole. However, the employer has also not produced the copy of the said memo issued by Shri Chari. As mentioned above, parawise reply of the employers on the written statement of the workman consist of arguments which I shall deal on the basis of the documents filed in this respect and oral evidence adduced by the witnesses.

4.30 On 26-4-1955 the Hindi typing work was being done by Kum. Ranade. It appears that the workman was also doing the same work. According to the workman he volunteered to assist Kum. Ranade. If we see the testimony of Miss. Ranade, she has stated that on 26-4-1955 the work was given to her alone and the workman came forward to help her in typing work. She has further stated that at 5.30 Shri Chinchlikar came and asked for the manuscript and the typed matter and he took away as it was not complete and as he was in a hurry to take it to Poona.

4.31 In cross-examination Kum. Ranade has stated that she was the only Hindi Typist in Typing pool and on 26-4-1955 Shri Dharampuri asked to take help of Shri Godbole. According to the workman, he volunteered to assist Kum. Ranade but in cross-examination Kum. Ranade told that Shri Dharampuri asked to take help of Shri Godbole. Thus there is a contradiction in Kum. Ranade's statement. It is immaterial whether the workman was doing the work voluntarily or it was done on the instruction of the superior. It is true that at 5.35 p.m. on 25-4-1955 Kum. Ranade and the workman went home. Kum. Ranade has stated that Shri Chinchlikar collected the manuscript and then the typing work could not be completed by both. For this incidence, on 27-4-1955 the office secretary called both of them in his chamber, questioned

them and instructed to leave office. Both of them were further instructed not to attend the office until further orders. The workman was given a written memo instructing him not to attend the office until further order but Kum. Ranade was not given any such written memo.

4.32 Had the office secretary instituted an enquiry, the truth would have come to light by examining particularly Shri Chinchlikar, Shri Chaji, Shri Dhaampuria. It is asserted by employers that the office secretary made an enquiry and followed the principles of natural justice. Similarly before imposing penalty the explanation was called for from the workman and the order of final punishment was passed.

4.33 It will have to be seen whether the proper inquiry was conducted, and the proper procedure was following before imposing penalty.

4.34 On 27-4-1955 Kum. Ranade and the workman were called in the cabin of the office secretary, both of them were interrogated and were instructed to leave office forthwith. On the same day after they left office a letter No. ADM/EST/63, dated 27-4-1955 was prepared and was dispatched on the residential address of the workman, instructing him not to come to the office until further order, from 27-4-1955 to 10th May, 1955 there was no communication from the office secretary to the workman. On 7-5-1955 the workman sent a letter to the office secretary stating that the order dated 27th April, 1955 was incomplete and vague. He has stated in that letter as a protest, he was tendering resignation. He further requested to inform him the result. On receipt of the letter dated 7-5-1955 from the workman, office secretary vide his letter dated 11-5-1955 informed that the workman was guilty of a grosser dereliction of duty. It is further mentioned in that letter that it was established that the workman was unfit to be retained in service and that his services should be terminated with effect from 27-4-1955.

4.35 While offering parawise comments in a rejoinder dated 24-12-1981, it is contended by the employers that the workman was free to request for clarification of the order whether the period of his absence would be treated as on duty or on leave or under suspension. Instead of taking proper course of action, Shri Godbole vide his letter of 7-5-1955 chose to resign from the services of the All India Khadi and Village Industries Board with effect from 7-6-1955 with due notice of one month. When he has chosen to resign from the services he cannot have any ground to grumble. On perusal of a letter of 7-5-1955 from the workman he has stated the order in question was incomplete and vague. He has not specifically asked whether the period from 27th afternoon, should be treated as suspension, leave or duty. The office secretary could have accepted his resignation dated 7-5-1955 but he has enquired vide letter dated 11-5-1955 whether the workman was prepared to resign from 27-4-1955. In this letter it is clearly stated that the workman was guilty and therefore, his services were being terminated. The workman offered an explanation vide his letter dated 23-5-1955 in response to the memo dated 11-5-1955 from the office secretary. On 30-5-55 a final order of termination was issued stating that workman's services were terminated with effect from 27-4-55. There is no mention of the workman's letter dated 23-5-55.

4.36 The proper course for the office secretary would have been to suspend the workman, to order an enquiry and then from the enquiry if it was proved that the workman has committed an official misconduct warranting termination of service, to issue a show notice why the proposed penalty should not be imposed. After his resignation why the appointing authority pass the final order of punishment. However, it is seen that on 27-4-1955 the explanation was called for and the workman was asked to go home and his services were terminated with effect from 27-4-1955. In Government departments also if a minor punishment like withholding of an increment is to be imposed that elaborate procedure of the departmental enquiry need not be followed but if a major punishment like termination of service is to be imposed the departmental enquiry is ordered. In respect of incident of 26-4-55 a major punishment was imposed and hence it was necessary to order a formal enquiry and then only after following due procedure penalty could have been imposed.

4.37 As mentioned above a penalty of termination of service was imposed on the workman for two incidents one of November 1954 and the other of 26-4-1955. As mentioned earlier, the charge of insubordination and dereliction of duty in November, 1954 could not be conclusively established. The

penalty of issuing warning was already issued to the workman. Therefore, the penalty of termination of service was obviously imposed for the incidence of 26-4-1955 only.

Although the penalty of termination of service was imposed on the workman, it appears that the authority of the board subsequently might have thought that the procedure was not followed properly and the penalty ought not to have been inflicted. On the perusal of the note dated 30-5-57 by Dy. Chief Executive Officer, it is seen that the authorities at one time were considering to reinstate the workman on the pay which the workman was drawing before termination. It is further stated in this note that "if it was intended that Shri Godbole should be reinstated as a result of his appeal or some other reasons, the proper course would have been to pass an order of re-instatement on his former pay".

4.38 Further if we see the appointment order No. A/18 dated 21-5-1954 that Shri Godbole was appointed on a purely temporary post and his services were liable to be terminated at any time without assigning any reason. It was open for the office secretary to terminate the employment of the workman without assigning any reason. Had this course been followed by the office secretary, the workman could not have complained about the termination. But the letters dated 11-5-1955 and 30-5-1955 when read together show that his services were terminated by way of punishment as such it was mandatory to follow proper procedure before imposing the major penalty of termination of service. Nothing of the sort was done.

4.39 Under the circumstances, I hold that the termination was improper and not maintainable.

As the issue under terms of reference.

(a) is to decide the maintainability or otherwise of the termination of Shri Godbole's services from April, 1955, the aspect of his re-appointment w.e.f. 18th June, 1956 need no examination having no reference to the issue of termination.

5. Let me now take up the second matter in dispute namely :

(b) The Arbitrator shall decide if the services, rendered by Shri Godbole to Ambar Samiti (which was according to Shri Godbole a part and parcel of the erstwhile All India and Village Industries Board) can be treated as regular service in the Khadi and Village Industries Board.

The erstwhile All India Khadi and Village Industries Board and Ambar Samiti were two different entities. The funds for Ambar Samiti were provided from Gandhi Smarak Nidhi as is confirmed by Shri Lele. The workman has not substantiated that Ambar Samiti was part and parcel of the All India Khadi and Village Industries Board. He has quoted an example of one Shri D. P. Upadhyaya. From the documents and notes submitted by the workman it appears that Shri D. P. Upadhyaya was an employee of All India Khadi and Village Industries Board and he was sent on deputation to work in Ambar Samiti. From this it appears that some persons might have gone on deputation from the Board to the Samiti. Shri Godbole was not sent by the Board on deputation to the Ambar Samiti. Therefore, services rendered by Shri Godbole in Ambar Samiti cannot be treated as regular service in Khadi and Village Industries Board.

6. We now come to the third matter in dispute namely :

(c) If the Arbitrator upholds the contention mentioned in para (b) above he should also decide if the break in services of Shri Godbole between the period his services were terminated by the Board from its services and his tenure of services under the Ambar Samiti can be condoned if however the Arbitrator does not uphold the position in (b) above, he should decide if the break in services of Shri J. Y. Godbole from 27th April, 1955 to 18th June, 1956, can be condoned.

As mentioned above, the Ambar Samiti was a separate entity and therefore the services rendered in Ambar Samiti can not be treated as service in Khadi Board. Unless one is sent on deputation from the latter. When a workman is wrongfully discharged or dismissed and he is reinstated

by the orders of any court there is no question of any break and the gap is deemed to be made as continuous service. However, the employee does not get the wages or salary if he has earned these in another organization during the period when his services stood terminated. On the same analogy the workman cannot get any remuneration from the Board for the period during which he worked in Ambar Samiti. From the records it is seen that the workman was paid the same salary by the Ambar Samiti which the workman was getting from the Board when his employment was terminated by Khadi and Village Industries Board. In the circumstances of the case the break in service of Shri J. Y. Godbole from 27-4-1955 to 17-6-1956 can be condoned. (As he was again appointed by the Board w.e.f. 18-6-1956 the gap could be only the 17th June, 1956 and not 18th June, 1956).

7. Regarding the fourth matter in dispute namely :

- (d) If the Arbitrator concludes that the break in services of Shri Godbole can be condoned he should also specify the purposes for which the break can be condoned such as for purposes as seniority and promotions, Gratuity, pension etc.

As mentioned above, Shri Godbole was paid by the Board upto 26th May, 1955. He was appointed in Ambar Samiti, Ahmedabad, on 26-9-1955 on the same salary. Thus, Shri Godbole did not get any salary for the period of 27th May, 1955 to 25-9-1955 so this period should be treated as extraordinary leave, without pay. The period from 27-4-55 to 17-6-1956 which is hardly one year one month and about 20 days be condoned for purposes of gratuity.

8. The last and the fifth matter in dispute is as below :

- (c) The Arbitrator has also decide, if he comes to the conclusion that Shri Godbole is entitled to any relief, the exact relief which should be made available to Shri Godbole such as any financial relief etc.

8.1 As mentioned above, the order of termination being not maintainable the workman will have to be considered in employment from March 1954. However, when a fresh seniority is prepared the objections are invited from the persons concerned and after taking these into account a final seniority list is published. Similarly whenever any employee challenges the propriety of the seniority list in the Court of Law he is required to make all the concerned employees, parties to the Court proceedings, after hearing all the parties,

the Court gives a suitable direction. By this award, if any direction is given to change the seniority list keeping in view the long gap of 27 years between 1955 and now 1982 it will cause injustice to other employees and hence I do not feel it advisable to recommend anything which will disturb the seniority list which may be in existence till the release of this Award.

8.2 Regarding the promotions, the promotions are considered by taking into account seniority cum suitability.

8.3 In paragraph 44 of the written statement dated 30th November, 1981 submitted by the workman it is stated that in the organisation there is a practice of writing annual confidential report of an employee as such for the purposes of considering the promotions of the workman all confidential reports will have to be compared along with the other workman eligible for promotion at the appropriate times. From the records, it is seen that one person in the cadre of workman was promoted in 1970. In Government department if the claims of any employee are overlooked and his case is reopened he is granted the benefits by creating a supernumerary post. But the clock can not be put back.

8.4 However, in view of the fact that Shri Godbole's representation dated 24-8-1979 to Chairman, Khadi and Village Industries Commission with copies to various authorities including the Regional Labour Commissioner (Central), Bombay has ended in this reference for arbitration, it would be in the fitness of things if a supernumerary post in proper scale is created w.e.f. 1-9-1979 and Shri Godbole is adjusted against this post. His pay etc. be accordingly fixed w.e.f. 1-9-1979 and the arrears be paid within Thirty days from the release of the Award in the Government of India Gazette. This revised pay will obviously be a base for his Gratuity when he superannuates.

9. Before parting with this case, I would like to record my appreciation of the full cooperation received from both the parties.

Bombay,

Dated : 24-3-1982.

V. N. KHOLKUTE, Arbitrator.
[No. L-42013(1)/81-D II(B)]
S. S. PRASHAR, Desk Officer